

THE WEATHER

Fair, colder tonight. Friday fair followed by snow or rain and warmer, moderate to brisk north-west winds diminishing and becoming variable.

ESTABLISHED 1878

THE LOWELL SUN

5 O'CLOCK

LOWELL MASS. THURSDAY JANUARY 28 1909

PRICE ONE CENT

MRS. ST. HILAIRE

Leading Witness at the Rivet Murder Trial Today

A crowd of 200 stood at the entrance of the court house this morning awaiting the arrival of Napoleon Rivet from jail. As soon as he had passed through the crowd a grand rush for admittance to the court room occurred and at the opening hour all seats were taken.

Deputy Sheriff Hill
Deputy Sheriff Whitman, one of the custodians of the jail, was taken suddenly ill in the court house just before the opening of court. He was attended by Dr. Dugdale, who was present and recovered in a short time and resumed his duties.

Brother of Murdered Man

William Gailloux, a brother of the murdered man, was the first witness called. In response to Mr. Wier's questions he said:

"I last saw my brother alive two weeks before the murder on Moody street opposite Richards' saloon. My brother mentioned Napoleon Rivet and said that he had an insurance and had sold it and that he feared for his life."

"Did he say on account of whom he feared for his life?"

"He didn't tell me."

"What did you say?"

"I said nothing."

Cross-examined: "Did you know that your brother had insurance payable to his wife?"

"I did not know."

"When did he separate from his wife?"

"I don't know. I wasn't here."

"Where were you when your brother died?"

"I was in Woonsocket."

"How long were you in Woonsocket when your brother died?"

"About six weeks."

"When did you last see your brother?"

"Two weeks before his death."

"Where did you see him?"

"On Moody street."

"Didn't I ask you if you had come back to Lowell in that six weeks?"

"Yes, sir."

"Then you did come to Lowell some time in that six weeks?"

"I came in at the end of six weeks."

"You say you saw your brother two weeks before his death in Moody street?"

"Yes, sir, for five minutes."

"During that six weeks in Woonsocket did you come to Lowell?"

"No, sir."

"Did you know your brother had insurance on his life?"

"I did."

"Do you know in whose favor?"

"No."

"Did he have more than one policy?"

"No, sir."

"Your brother drank liquor?"

"Like all the others, he drank some."

"Do you drink?"

"Yes, when I have a notion."

"Had you been drinking when you met your brother?"

"I had not. I had just arrived from Woonsocket."

"Had your brother been drinking?"

"He appeared sober. I think he was coming from work."

"Did you know that he was rooming with Rivet?"

"I did not."

Gailloux's Sister

Mrs. Althea Lemay, a sister of Joseph Gailloux, was next called and in answer to the prosecuting attorney's questions testified:

"I last saw my brother eight days before his death. We talked about his illness. He said he was sick. He said that he had taken two glasses of bad liquor. I asked him where he had taken the liquor, and he replied: 'With my friend Rivet.' He told me he was suffering from his chest and stomach. He came to my house at 5 in the afternoon. He said he had had the whiskey in the afternoon. He vomited at my house in the sink. He vomited a green bile. He stayed with me until 2 o'clock the next afternoon. He said that he had pain in his stomach and thought he was going to die."

Mrs. Lemay Cross-Examined:

Cross-examined by Mr. Bent, witness said she lived at 15 Marshall street. At the time of which she testified she lived at 35 French street. Her brother lived in Race street at the time. The night that he died he changed rooms.

"Your brother drank much?"

"Yes."

"What did Rivet want?"

"Rivet asked to see a room."

"And you showed them a room?"

"I showed them a room for \$1.25 on the third floor and Rivet asked if he could stay with Gailloux. I replied that it would cost \$1.50 if he stayed there all the time but that he might stay there a few nights without extra cost. When they came down stairs Gailloux paid me \$1.75, of which \$1.25 was for the room and 25 cents for two keys, a room key and a latch key. This was about 7 o'clock."

"What time did you retire that night?"

"About 1 a.m."

"Did Rivet ring your bell that night, or try to get in?"

"He did not."

"What clothes did Gailloux wear that night?"

"He wore a light spring overcoat and a brown or black hat."

"How was Rivet attired?"

"He wore a long black overcoat."

"Did you see Gailloux again?"

"No."

"What time did you retire that night?"

"About 1 a.m."

"Did Rivet ring your bell that night, or try to get in?"

"He did not."

"What clothes did Gailloux wear that night?"

"He wore a light spring overcoat and a brown or black hat."

"How was Rivet attired?"

"He wore a long black overcoat."

"Did you see Gailloux again?"

"No."

"Sometimes he would take much and sometimes he would take little."

"Did you ever see him intoxicated?"

"Yes, but not many times."

"Did you know that he was sometimes sick?"

"Very little. As soon as he would take his breakfast he was all right."

"What made him sick?"

"When he would take too much liquor."

"How many times did he come to your house sick from drinking?"

"Three times; but never as sick as the last time."

"What did you prepare for him?"

"Gruel and beef tea."

"What would he say about his sickness?"

"He would tell me he was sick from drinking."

"Would he complain of his stomach?"

"No, he never complained of his stomach."

"When he vomited this time he vomited green bile?"

"Yes."

At this point Rivet called Lawyer Guillet to the cage and held a whispered conversation with him.

"Have you seen people vomit green bile, before?"

"I never saw anyone before."

"Was your husband living with you when your brother called?"

"No. He was in Canada."

"Are you divorced?"

"No."

"Did you carry on business in French street?"

"I had boarders and lodgers."

"Men or women?"

"One woman and the rest men."

"Did you know where your brother worked?"

"Yes. He worked for Ernest Daigle."

"Were you ever in the shop of Daigle?"

"Yes, four or five times."

"At what time?"

"In the day time. Different times when I lived in Little Canada I called him to his meals."

"Were you ever in the little office?"

"Not until after my brother's death."

"Were you ever there at night?"

"No."

"Did you ever go there with any women?"

"No, not until after my brother's death when I went in with my sister-in-law."

Albert Guyon

Albert Guyon was called and Mr. Wier's first question was "Where were you the Saturday night before the murder?"

Mr. Bent immediately corrected him with: "Won't you kindly refer to that as the night that Gailloux was killed?"

Mr. Guyon testified: "Oscar Daigle, Sylvio Emond and I had been to the Academy of Music and on our way home we stopped at Daigle's store to get a drink of water. Oscar Daigle tried to unlock the door, but couldn't. Then we saw a light under the office door. We rattled the door and Gailloux let us in. Daigle went to get a drink of water, while we went into the office and found Gailloux and Rivet there. There was a bottle with a few inches of whiskey in it, and Gailloux asked us to drink. We finished the bottle and we said we'd patch in and get another half pint. We gave Gailloux a quarter and he gave it to Rivet, who produced a half pint. The first bottle was one of those sealed bottles holding almost a quart. We all went out of the store together."

"Mr. Rivet had that half pint secreted in his pocket?"

"He did."

"Did you drink out of that, half pint?"

"I did."

"Did it make you sick, or vomit green bile?"

"No, sir."

Sylvio Emond

Sylvio Emond, who was with Oscar Daigle and Guyon in Daigle's shop on the Saturday night preceding the murder, was called. His testimony was corroborative of that of his two companions. He was shown a whiskey glass, and said that it was similar to that out of which they drank. Witness did not see Gailloux alive again after that night.

Harriet Mudgett

Mrs. Harriet Mudgett was called. She resides at 452-189 Suffolk street.

Examined by Mr. Wier:

"Did you see Rivet on the night of Dec. 29, 1907?"

"I saw him about 7 o'clock."

"Did you know him?"

"Yes."

"What was he doing?"

"He interpreted what I said to Gailloux."

"What did Rivet want?"

"Rivet asked to see a room."

"And you showed them a room?"

"I showed them a room for \$1.25 on the third floor and Rivet asked if he could stay with Gailloux. I replied that it would cost \$1.50 if he stayed there all the time but that he might stay there a few nights without extra cost. When they came down stairs Gailloux paid me \$1.75, of which \$1.25 was for the room and 25 cents for two keys, a room key and a latch key. This was about 7 o'clock."

"What time did you retire that night?"

"About 1 a.m."

"Did Rivet ring your bell that night, or try to get in?"

"He did not."

"What clothes did Gailloux wear that night?"

"He wore a light spring overcoat and a brown or black hat."

"How was Rivet attired?"

"He wore a long black overcoat."

"Did you see Gailloux again?"

"No."

"What time did you retire that night?"

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"No."

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SKETCHES AT THE RIVET TRIAL YESTERDAY SHOWING COUNSEL FOR DEFENSE AND OTHERS

"At the undertaker's." "Was it the same man who was in your room?" "Yes, sir." "Do you recognize the prisoner, Rivet, as the man who came to your room with Gailloux?" "He is the man." The cross-examination was very brief.

Homer St. Hilaire

Homer St. Hilaire, who in Feb. 23, 1907, was employed behind the bar in the saloon of George Kearns, corner of Moody and Suffolk streets, was the next witness.

"Did you see Rivet on the night of Feb. 29?"

"Yes, I saw him in the saloon at about 9 or 9:30."

"Who was with him?"

"Joseph Gailloux."

"You knew them both?"

"Yes."

"What did they do?"

"They asked for a glass of beer."

"Who paid for the drinks?"

"I served them and Gailloux paid for them."

On cross-examination, witness could

not locate Kearns' place on the map, as he didn't read English.

By Mr. Bent:

"Might it not have been as late as 10 that they called?"

"I don't know, but I think it was 9 or 9:30."

"Can you tell anyone else who was in there that night between 9 and 9:30?"

"No."

"Can you give the name of anyone who was there between 9:30 and 10?"

"No, sir."

"How often had you seen Rivet for the previous month?"

"I couldn't tell."

"Did you see him at all?"

"Yes, on the street."

"Did you see Gailloux in the previous month?"

"Yes."

"Did you see them together?"

"No."

Recess.

Laurient Grenon

At the resumption of the session Asst. Dist. Atty. Wier explained that in the chronological order the testimony of Pierre Bourgeois would have come in at this point as Rivet and Gailloux went from Kearns' saloon to Bourgeois' and bought a drink.

Laurient Grenon, a bartender employed by Richards in Moody street, was then called and in response to Mr. Wier's questions he testified:

"On the night of Feb. 29 about 9:30 I saw Rivet, Gailloux and a man named Omer Auger standing near the piano. Gailloux had on a light overcoat and Rivet had a long black overcoat. Shortly before 10 o'clock I saw Rivet going out, but I didn't see Gailloux with him at that time. When I first saw them they were talking. Gailloux using his hands when he was talking."

Cross-examined:

"Did you see any money pass between them?"

"No, I did not."

"How many were in the barroom at the time?"

"About 25 or 30 people."

"Did you see them later?"

"I only saw Rivet. He was going

toward the door, but I did not see him go out."

"When did you see Rivet go toward the door?"

"Before or after 10."

"As late as 10:15?"

"I couldn't say; it might have been."

Ever go down cellar with lighted match or lamp and have it blown out?

"No."

"Can you give the name of anyone who was there between 9:30 and 10?"

"No, sir."

"How often had you seen Rivet for the previous month?"

"I couldn't tell."

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"Did you see Gailloux in the previous month?"

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toward the door, but I did not see him go out."

"When did you see Rivet go toward the door?"

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PRES. ROOSEVELT

Determined to Put Navy in Fighting Trim

WASHINGTON, Jan. 26.—President Roosevelt thinks that the organization of the navy department is not such as to bring the best results, and yesterday he appointed a commission whose announced duty it will be "to consider certain of the navy."

The president's action was somewhat of a surprise in view of the fact that the members of the commission appointed yesterday met two weeks ago at Washington and indorsed Secretary Newberry's plan of reorganization, and in view also of the authorization by the senate of an inquiry into naval expenditures, the conduct of business, and the need, if any, of legislation to improve the administration of the navy department.

Announcement of the president's action was entirely unexpected at the navy department.

Secretary Newberry, who issued an

order carrying out his proposed plan, with particular reference to the navy yards, appeared to be the most surprised of all. He said that he was not aware that the president had taken such action, had not seen letter of appointment addressed to the various members of the commission and did not know the purpose of the letter addressed to him. His first information on the subject came to him from the press.

The president has sent identical letters to each of the eight members of the commission, which is headed by Paul Morton, a former secretary of the navy; the other members being Justice Moody, also a former secretary of the navy; Judge A. G. Dayton, formerly chairman of the house naval affairs committee, and Rear Admirals S. B. Luce, A. T. Mahan, Wm. M. Folger, Robley D. Evans and Wm. F. Cowles, all of whom are on the elected list.

He sets out certain subjects for the committee to consider under two general heads: first, as to the fundamental principles of an organization that will insure an efficient preparation for war in time of peace; and, secondly, specific recommendations as to the change in the present organization that will accomplish this result.

The government asked for a continuance and Boyle was held under \$500 for his appearance tomorrow morning.

THE HIGH WINDS

Blew Down Three Story Frame Structure

NEW YORK, Jan. 28.—High winds which prevailed today played havoc with new construction in various parts of the city, particularly in the Bronx. A three story frame structure was blown from its foundation and the walls of a half finished three story brick dwelling collapsed. Nearby structures were damaged by flying debris. Many suburban buildings had their roofs ripped off. In the harbor small craft were torn from their moorings and set adrift.

WOMAN KILLED

At a Fire in Newark, N. J. Today

NEWARK, N. J., Jan. 28.—A fire which practically destroyed the home of Philip Rankin, today resulted in the death of a maid servant, Anastasia Burns, and serious injuries to her sister, Nellie Burns, both of whom leaped from the third story window of the Rankin home. Mrs. Rankin reports the death of several thousand dollars worth of jewelry in the fire. Anastasia Burns fell to the sidewalk and was instantly killed while her sister jumped to the roof of the kitchen in the rear of the house. She was removed to the hospital. The other occupants of the house escaped injury.

TAKING A REST

Motorman of Car That Killed Four

CHICAGO, Jan. 28.—Four persons having been killed beneath the wheels of electric cars of which he was motorman and two women having been maimed for life, L. A. Broadway is now taking a voluntary rest to recover his nerve.

Within another week he expects to be at work again, and says he trusts his car will never kill another person. He is not particularly sure of such luck as he says people seem to be taking greater chances with electricity every day.

In none of the accidents in which his car has figured has Broadway been censured by the coroner. He is an employee of the Chicago & Milwaukee electric line.

"A motorman in Chicago of these new high powered electric cars," he says, "has a nerve racking job all the time. I have worked on steam roads, and would rather take an express run at 75 miles an hour with a locomotive than to try to keep the express schedule of the electric. You often have to make 55 miles an hour."

"People generally take all sorts of chances with electricity. They completely disregard the fact that the electric cars often are running faster than steam cars. They jump in front of electric cars where they would give a steam train a wide berth."

TO REOPEN BANK

W. L. Stevens Has Been Made Cashier

SOMERSWORTH, N. H., Jan. 28.—It was expected that during today and Friday the balance of the \$35,000 voluntary assessment asked for last Thursday by Receiver Bean of the defunct First National bank would be contributed by the stockholders so that everything would be in readiness to reopen the institution next Monday as planned. The bank was closed several weeks ago following the defection of its cashier, F. M. Varney. Receiver Bean was absent from here yesterday, so that the exact amount received up to today was not announced. A number of large stockholders signified their intention to pay their share of the assessment today.

It was stated unofficially that the new cashier elected by the directors to succeed F. M. Varney is M. L. Stevens, a former Somersworth man now in the paymaster's department of the Boston and Maine railroad at Boston. Mr. Stevens is a brother of Sidney F. Stevens, a director of the bank and resided here up to about eight years ago.

AUGUST BELMONT IMPROVED

NEW YORK, Jan. 28.—The condition of August Belmont, the financier who was yesterday operated upon for appendicitis at the Memorial hospital, showed marked improvement this morning. His physicians said that he had passed a good night and that he would undoubtedly be out within a few weeks.

COTTON FUTURES

NEW YORK, Jan. 28.—Cotton futures opened steady, Jan. 28, 29, Feb. 29, 30, March 31, April 31, May 31, June 31, July 31, Aug. 31, Sept. 31, Oct. 31, Nov. 31, Dec. 31.

ALLEGED CROOK

James Boyle Arraigned in Police Court

THOMAS W. GRAY COMMITTED WHOLESALE LARCENY

Woman Made Her 36th Appearance—Epileptic Arrested—Woman Fined \$50 For Illegally Keeping and Selling Liquor—Stiff Sentence Given to Man Who Assaulted His Wife

James Boyle, who is considered one of the cleverest crooks in and about Lowell at the present time, was arraigned before Judge Hadley in police court this morning on a complaint charging him with the larceny of a gold watch, the property of Michael Fitzpatrick. Boyle pleaded not guilty of committing the larceny, but said he would plead guilty to having sold stolen property.

The government asked for a continuance and Boyle was held under \$500 for his appearance tomorrow morning.

Boyle and a companion whom the police are searching for, met Fitzpatrick last Saturday night in a saloon. The latter had quite a little money and felt like spending it, and Boyle and the other man were willing to stay as long as the money lasted.

After having spent considerable time in one or more barrooms the trio started to walk through Dutton street and when a lonely spot was reached it is alleged that Boyle and his companion held up Fitzpatrick and purchased a new gold watch he had purchased a few days before.

When Fitzpatrick got alone to it he reported the matter to the police. In the meantime Boyle took the watch to Harris, the Appleton street jeweler, and the latter gave him \$5 for it, which Boyle claims he divided with his companion.

Inspector Martin Maher was detailed to investigate the matter and after locating the watch and getting a meagre description of the man who sold the watch started to search for Boyle.

Inspector Maher saw Boyle in Merrimack street yesterday morning and with the assistance of Patrolman William G. Bumps placed him under arrest.

Held for Larceny

Thomas W. Gray, alias Charles Riley, alias Charles E. McCarthy, was arrested in Middlesex street yesterday morning by Patrolman Boyle on suspicion of having committed larceny. When brought to the police station and searched a large quantity of articles was found in his possession.

In police court this morning he was charged with larceny and entered a plea of not guilty.

Among the articles found on him were the following: One gray coat, pair of gray pants, black coat, two black vests, three neckties, one muffler, two pairs men's gloves, three pairs lady's gloves, one man's hat, one woman's hat, three razors, package of tobacco, pocket knives, shaving brush, nickel watch, tape measure, pair of barber's shears, pair of pliers, Defiance (nickel) watch, razor strap, two claw hammers, blacksmith's hammer, monkey wrench and envelopes containing stamps from the following countries: Wurtemberg, Costa Rica, Chile, Mexico, Portugal, Finland, China, Brazil, Spain, Turkey, Netherlands, Germany, Japan, Italy, Argentine Republic, Great Britain, Russia, Switzerland, Colombia, Hungary, France, Belgium, Bayern and Sweden.

Gray was arrested for drunkenness last February and gave the name of Charles Riley and was sent to jail. In April he was arrested again and gave the name of Charles E. McCarthy. He was found guilty of drunkenness and sent to jail. Jan. 18th of this year he was arrested again for drunkenness, sent to jail and was discharged from jail the day before yesterday.

At the conclusion of the hearing in police court, Judge Hadley sought Supt. Moffatt and stated that Patrolman Boyle should be commended for the capture of Gray.

Patrolman James Boyle, the first witness called, testified that he arrested Gray in Middlesex street yesterday morning. Gray was trying to dispose of clothing and other articles. He refused to state where he got the goods, and told conflicting stories as to his residence and where he had been working.

Deputy Welch said that when Gray was brought to the station he said that he had been released from jail Tuesday and stated that he purchased the clothing from a man, whom he didn't know for 50 cents, while the other articles, he said, he found in Middlesex street.

Gray had nothing to say other than that he had purchased the clothing and found the other articles.

The court decided that the case had better be postponed for a few days in order that the police may be able to find the owner of the articles. The case was continued till Monday, Gray being held under \$500 bonds.

An Old Offender

Maria Richardson made her 36th appearance before the court, it being her third time before the court within a year. She resides in Pelham Centre street, and came to Lowell for the purpose of seeing a doctor, but the doctor was not in and she thought she would visit some of her old friends in this city, the result being that she got drunk and was arrested. Maria was formerly a resident of this city, but last November got married and has resided in Pelham since. She pleaded to be given just one more chance, saying that she

would return to Pelham and steer shy of Lowell in the future. The court decided to give her the chance she asked for, and gave her a suspended sentence of five months in jail.

265 WERE KILLED

WASHINGTON, Jan. 28.—In response to a senate resolution, Chairman Knapp of the interstate commerce commission, has forwarded to that body a table showing the number of employees and passengers injured during the years 1903 to 1908 inclusive from locomotive boiler explosions to be 255 killed and 716 injured.

DEATHS

CONLEY—John Conley died yesterday in Worcester, aged 47 years. His body was brought to the funeral rooms of T. J. McDevitt, this city. He leaves three daughters.

HARRINGTON—Mrs. Hannah Harrington died yesterday at her home in West Rutland, aged 82 years. She was the wife of John Harrington, and leaves two daughters, the Misses Bridget and Rose.

DUPON—Bernadette M. Dupon, wife of Charles and Mary Dupon, died this morning at the home of her parents, 21 Commercial street, at the age of one year, one month and nine days.

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OUR POSITION AS LEADERS IN THE PIANO BUSINESS

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QUALITY and VALUE IS THE BEST

New Pianos We Sell At

\$185 Others Charge \$250

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If you intend buying a piano, it will pay you to call and look over our stock, we have 100 pianos on our floor for your selection.

We Have a Few Bargains in Used Upright Pianos at \$59, \$78, \$110, \$118.

RING'S

At the Big Clock

110 MERRIMACK STREET

The Largest, Most Reliable Piano House.

GIVEN SETBACK

Blow to Ballooning in America

WASHINGTON, Jan. 28.—Ballooning in America has received a decided setback according to officials of the war department as the result of the refusal of the house committee on appropriations to set aside a sum for military aeronautics. The signal corps desired at least \$500,000 for the new branch of the service, assurance being given that the dirigible balloon was beyond the experimental stage and was an instrument of much use in time of war as a component part of the equipment of any well-regulated army. It was pointed out that France has three dirigibles and Germany four while the Italian army is in a measure equipped with them and reports are that the Russian army is adding them to its equipment.

The plan was to have this government obtain a number of medium-sized balloons such as the one acquired last summer.

Wion General Allen, chief signal officer was before the committee he was questioned as to the possibility of firing at balloons with mortars.

"It is not believed that you are going to fight a balloon," said the general. "With anything except a balloon. You cannot shoot a balloon down with guns because it has a horizontal and vertical motion and nobody can hit it. It is almost impossible to find a balloon at a thousand feet even on a moonlight night."

"We do not believe that the aeroplane will ever take the place of the dirigible balloon," he continued.

"Experience shows that the aeroplane will carry only a very light burden not to exceed two or three men and the minute you commence to carry any load you must put on the gas bag. It seems hardly possible that aeroplanes are going up to the height that a dirigible balloon goes."

BOMB THROWN

EMPEROR OF KOREA ABANDONS HIS TRIP

TOKIO, Jan. 28.—A special report from Seoul conveyed the news that while the imperial train bearing the emperor of Korea and Count Ito of Japan, who are making a trip of inspection through northern Korea was en route to Ping Yang, one of the emperor's aides attacked the home secretary with a sword.

The official escaped with his life, but suffered a wound, the severity of which, however, is not yet known.

A bomb was thrown in a temporary building erected at Kaisyong for the reception of the emperor.

The general feeling of unrest has caused the imperial visit to Wiju to be abandoned.

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FUNERALS

DUNCAN—The funeral of Mrs. Agnes Duncan, took place yesterday afternoon from the home of a daughter, Mrs. William Davis of 111 Stevens street, Rev. N. W. Matthews officiating. There was appropriate singing by John Wilman, N. W. Matthews, Jr., and Joseph Wilnot. The bearers were George Campbell, W. A. Bishop, Daniel Daniels and William Ashworth. Among the many beautiful floral offerings were: Willow inscribed "Mother," Mr. and Mrs. William Davis; pillow, inscribed "Mother," Alexander Duncan; pillow, inscribed "Grandmother," Alexander Davis, Miss Agnes S. Alexander, Mrs. and Mrs. George Campbell, Mr. and Mrs. Joseph Robinson, Mr. and Mrs. Daniel Daniels, Miss McFarlin, Mrs. George Hardman, Mr. and Mrs. P. F. Durrell. Burial was in the Elmwood cemetery under the direction of C. M. Young.

YOUNG—The funeral of Mrs. Jennie S. Young took place yesterday afternoon at 12:30 o'clock from her late residence, 3 Coral street. The services were conducted by Rev. Julius P. West, pastor of the Highland M. E. church. The bearers were relatives of the deceased. The remains were forwarded to the old home of the deceased, at Deerfield, N. H., for burial. Undertaker George W. Healey in charge.

IRVING—The funeral of Mary Irving took place this morning at 8:30 from the parlors of M. H. McDonough & Sons. Funeral mass was sung at St. Peter's church at 9 o'clock by Rev. Fr. Mullin. The choir under the direction of Mr. P. P. Haggerty, sang the Gregorian mass, and at the offertory James E. Donnelly sang "Pie Jesu." As the remains were borne from the church the choir sang "De profundis." Mrs. John McDevitt presiding at the organ.

The bearers were John Irving, Mr. Thompson, William Irving and A. Irving. Among the many floral tributes was a sheaf of wheat from the Irving family. Burial was in the Catholic cemetery, where Fr. Mullin read the committal prayers. Undertaker was in charge of Undertakers M. H. McDonough & Sons.

FUNERAL NOTICES

WALLACE—Died Jan. 26, Eugene C. Wallace, aged 55 years, at the Lowell General Hospital. Funeral services will be held Friday afternoon at 2 o'clock at the home of Undertaker George W. Healey, corner Branch and Queen streets. Friends invited. Burial private. Please omit flowers.

McLAUGHLIN—John P. McLaughlin, aged 59 years, died this morning at his home, 212 Hale street. The deceased was a member of the A. O. U. W., and leaves to mourn his loss a widow, Amanda, two sisters, Rose and Anna, a brother, James. Funeral services will be held at the residence, 212 Hale street, Sunday afternoon at two o'clock. Friends invited. The funeral will be under the direction of Funeral Director J. A. Weinbeck.

If you want help at home or in your business, try The Sun "Want" column.

NOTICE

We beg to request our many customers who have generously patronized our big Furniture Sale during the past few days to be patient with us if some orders have been delayed in delivering, as owing to the unexpected volume of business we had the past few days delays in delivering were unavoidable. But with two teams working from morning until night we are now prepared to handle all orders and can assure prompt delivery.

Bornstein & Quinn

113-115 GORHAM STREET

Wall Paper

97 APPLETON ST.

ALLAN LINE ROYAL MAIL STEAMERS

Moderate Rate Passenger Service

Boston-Glasgow via Londonderry, Ire. Laurentian, Feb. 6; Ionian, Feb. 13; Numidian, Mar. 1; Laurentian, Mar. 15.

Second Cabin, Glasgow and Derry, \$10.00. Third Class, \$25.00. Glasgow, Derry, Belfast and Liverpool. Entire rooms reserved for married couples. Children 12 years, half fare. H. & A. ALLAN, 110 State St., Boston.

Dennis Murphy, 18 Appleton Street

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BILL INTRODUCED

To Have Tax Commissioner Name Assessors' Chairman

The Massachusetts legislature does a share at times in adding to the list of nations and assisting in the promotion of them.

Some of the acts introduced beneath the gilded state house dome would give material for the funny papers. This, of course, applies to only a small percentage of the acts introduced, but it takes only a few of them to add this much of comedy.

One N. M. McLaughlin is responsible for House Bill No. 231. Here it is, read verbatim:

House Bill No. 231—An act to authorize cities and towns to grant pensions to certain of their citizens.

Cities and towns are hereby authorized to grant pensions to all citizens who are 55 years of age or over, who have no means of making a living, or who have an income of not more than \$5 a year.

Here is another pension bill designed to take effect on the first day of the next year:

House Bill No. 232—An act to authorize cities and towns to grant pensions to certain of their citizens.

Section 1—The governor and council of the Commonwealth, and the mayor and aldermen of any city and town, or selectmen of any town in the Commonwealth, may retire from active service and place upon a pension any employee of the Commonwealth, or of such city or town, 65 years of age or over who has performed faithful service as such employee for not less than 15 years, or any such employee who is a physician who is a member of the state board of health, in cases of employees of the Commonwealth, or of such city or town, or whom the town physician it there is one, in cases of employees of a town, and if there be no town physician whom the chairman of the board of selectmen certifies in writing to be permanently disabled, mentally or physically, by injuries sustained by no

fact of his in the actual performance of duty, may be excused from further performing duty as such member, and may be placed upon such pension roll; or any such employee who has performed faithful service for not less than 20 years, if, in the judgment of the assessor, physician or chairman of the selectmen, he is disabled for further faithful service to the Commonwealth, city or town, may be placed upon such pension roll.

Section 2—The amount of the annual pension allowed to any person under the provisions of the preceding section shall not exceed one-half of the annual compensation received by him at the time of such retirement if he is retired by reason of injuries received, nor exceed one-half of such compensation if he is retired by reason of age or service.

Section 3—This act shall take effect upon the first day of January, 1910.

Other bills introduced include the following:

Senate, No. 54—An act to authorize the tax commissioner to appoint the chairman of boards of assessors. The tax commissioner of the Commonwealth shall from each of the several boards of assessors elected or appointed by the cities or towns of the state for the assessment of taxes, designate and appoint one member who shall for each of them be chairman of his board until the said commissioner shall make a new appointment.

House bill No. 446—An act to authorize cities and towns to establish hospitals. Cities and towns may raise money by taxation and appropriate the same for the establishment, maintenance and support of hospitals for the care of the sick.

House bill No. 379—An act making the Commonwealth, counties and cities and towns liable for the negligence of their officers and servants, to the same extent to which corporations are now liable.

CUBA IS INDEPENDENT

Affairs of the Island Handed Over to Natives Today

HAVANA, Jan. 26.—A new era of Cuban independence dawned today when the affairs of the island which have been administered by American officials for more than two years as a result of the revolution against General President Palma in 1896 were formally transferred to the newly elected native executives. The coming of the new day of Cuban liberty was signified by a general display of fireworks, the velvet blackness of the tropical night being set off by the exploding rockets and the brilliant colors of the sent down shooting of golden light and gleaming, varicolored lights. The streets of the city which were brilliantly illuminated and garlanded with chains of multicolored flags, were thronged with people until an early hour this morning and a spirit of carnival everywhere prevailed. Thousands of people gathered around the Clerks' club throughout the night where inaugural and farewell ball were held jointly in honor of President Gomez and Vice President Palma, and Gov. Magallon, all three of whom were quickly recognized on entering the building and leaving, and loudly applauded. The bulls constituted one of the most brilliant functions held here since the days of the Spanish occupation.

The ceremonies of today began almost with the dawn and they will not end until long after midnight. The inaugural parade in which the native troops, civil organizations and the national guards will participate will pass under the magnificent triumphal arch erected in Monserrate square facing Central park and it will be reviewed by President Gomez. It will not start until late this afternoon.

One of the first ceremonies of this morning was the placing of a wreath on the tablet marking the house where Jose Marti, the Cuban patriot, was born. Next came the raising of the Cuban flag on the flagstaff of the police, marking the end of the American intervention. The Cuban flag has flown throughout this period, the American flag covering only the American army officers detailed to supervise the various governmental departments having really served throughout as Cuban officials. The old flag will be sent to Washington and placed in the national museum.

Gov. Gomez, who plotted against former President Palma, and who was imprisoned by him for a month, and released only when W. H. Pratt came to the island as the first official under American intervention, will take the oath of office at noon and within one hour thereafter provisional Gov. Magallon and all of the army officers who have served in executive capacity will resign and go out of the harbor for home.

Mr. Magallon will go on a warship to Mississippi while the army officers will travel on board the transport Metellan. Mr. Magallon goes to Knights Key, Florida, whence he will take a train direct to Washington. The Metellan proceeds to New York.

Jose Miguel Gomez goes not power as the leader of the Liberal (Catalan) party and as a result of the intervention choice of the Cuban people in the elections of last fall. The Cubans always held in against former President Palma that he was the enemy of the American government. No such complaint can be made in the case of President Gomez for the Americans studiously avoided anything suggesting advice as to the candidates on the platform in the last campaign.

President Gomez was escorted this morning from his home in the city to the palace by detachments of troops and the rural guard. He rode in the same carriage with Gov. Magallon, who called for him with a native military guard of honor.

The ceremonies of inauguration at the palace will be very brief. Presumably President Gomez will step out on the balcony overlooking the plaza de Armas, and take the oath faithfully to enforce the laws of the people and to maintain the constitution. The oath will be administered by the chief justice of the supreme court. Afterwards Presi-

dent Gomez will make a short address from the balcony.

Returning inside to the reception room of the palace Gomez will receive from the hands of Mr. Magallon the final decree turning over all the affairs of the island, together with an order from Washington terminating Mr. Magallon's commission as provisional governor.

Vice President Zayas was sworn in this morning by the senate. The house of representatives also was in session.

Major General Jose Miguel Gomez, the first president of the new Cuban republic is 55 years of age and a native of Santa Clara province where he has always enjoyed extraordinary popularity. He participated in two Cuban revolutions against Spain in the first of which he reached the rank of major and in the second that of major general. He was selected as governor of Santa Clara province by the government of intervention and when his term expired he was elected governor.

In May, 1905, the general was nominated for the presidency of the National Liberal convention but resigned his candidacy four months later, explaining that it was impossible to complete the campaign within the bounds of the law and laying part of the blame on the United States owing to the Platt amendment. An uprising in Cuba followed which ended with the deposition of President Palma and the intervention of the United States.

In August, 1906, Gen. Gomez was arrested charged with conspiring against the administration of the late President Palma, but he denied the allegation and was released from custody after a month's imprisonment.

In December of the same year Gov. Magallon appointed him secretary of a commission to revise the laws of Cuba. These included the drafting of an electoral law, new provincial and municipal laws, a law defining the organization and functions of the judiciary, and laws for the better laws on other subjects as well as he referred to by the provisional government.

General Gomez was unanimously nominated for the presidency by the Congress of the Liberal party, the Zayas, nominated Alfredo Zayas, but later Senator Zayas resigned and the two delegates formed a coalition choosing General Gomez as the presidential nominee and Senator Zayas. The election occurred Nov. 14, and Gomez and Zayas were chosen with a large majority. Gomez was proclaimed president of the republic at a joint session of congress eight days after.

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MURDER TRIAL

Continued

The testimony given yesterday afternoon, too late for the late edition of The Sun, was as follows:

Witness Daigle Recalled

After cross-examination by Mr. Bent, the witness recalled for the first time that he had seen the man who had been shot in the back of the head by the police.

"I saw him at your shop every day," he said. "Most every day, in the forenoon and afternoon; sometimes I worked outside."

"How long had Galloux worked for you?"

"Six years steadily and one year at times."

"What did he do?"

"Tinsmith."

"How long did you know him?"

"A year and a half."

"Did you know he went to Taunton?"

"Yes, because Galloux said there was a man coming from Taunton."

"For the last month before the death of Galloux, how often had he been coming in your shop?"

"Many times; sometimes twice a day; sometimes he might remain an hour or two hours."

"Who did he come to see?"

"I suppose it was Joseph Galloux, his friend."

"Did he talk with Galloux more than with anyone else?"

"He talked with everyone."

"Mr. Bent then read the police court testimony, in which Mr. Daigle said that he had seen no one in particular but anyone."

"Did you testify that way in police court?"

"I think I did."

"Did you see Mr. Rivet at your shop on the 26th?"

"I believe I saw him once in the forenoon."

"Who did he come to see?"

"I suppose he came to see his friend Galloux."

"Did you see him again that day?"

"I did not."

"Did you have any conversation with Galloux that day about Rivet?"

"Yes, he said that Rivet had asked him to go to South Lowell to raffle there."

"Did he say anything else?"

"No, sir."

"Did he say that he wanted you to go to Rivet and tell him not to go to the room?"

"Yes, I think he did tell me that."

"And wanted to see him?"

"Yes."

"Did you remain at the shop after Galloux went away that night?"

"I stayed there until about 9 o'clock."

"How many boys have you?"

"Four; three work in the shop."

"Was there a lounge in the office?"

"Eight months before there was."

"How long had it been in that shop?"

"Three or four years."

"Did the boys visit the shop in the evening?"

"No, they did not."

"Did Galloux used to go in the shop in the evening?"

"Yes."

"Did he drink in the shop in the evening?"

"Yes, sir. Sometimes two or three times a week, sometimes not at all. He wouldn't drink before me."

"He kept a whiskey glass there?"

"He did."

"Did you ever take a drink with him?"

"Yes, two or three times."

"In the office?"

"Yes."

"Did you know that he used to get drunk and sleep on the sofa?"

"No, I never saw him dead drunk on the sofa."

"Did you ever know that he was intoxicated?"

"I found him intoxicated on the sofa on one occasion. He wouldn't drink in my presence."

"Did Galloux ever have women go in the shop to see him within three months of his death?"

"What was Galloux's disposition when intoxicated?"

"He had a rage about him when he was intoxicated. He would talk and repeat but we would pay no attention to him."

"Did he get into fights?"

"He wouldn't strike, but he was seeking trouble."

"Didn't he hit you with a wrench and make your face bleed?"

"No."

"Did you strike him?"

"Once he wanted to quarrel with me about my fist in the face."

"Did he have fights with other people?"

"He did, two or three times."

"You have seen him when his face was battered and his eyes blacked, did you not?"

"Yes, I did see him."

"How many times?"

"I saw him once when a man knocked out a couple of his teeth and another time he was at a source in Bracon and Charlie Galloux sent me to see how badly Galloux had been injured then, as he had been in fights. His face then was badly swollen."

"He drank a good deal of liquor?"

"He did."

"He wouldn't leave it when he could get it, would he?"

"Not often."

"You understood Galloux's affairs pretty well?"

"He didn't have many affairs."

"Did you talk with him about a watch he bought on the installment plan?"

"District Attorney Higgins asked me the question, stating that it was for the purpose of the case."

Major Bent explained that he was asked to show that Galloux bought a watch on the installment plan and that he was behind in his payments and had Rivet make the payment for him. The insurance company of the watch was to the tune of the insurance policy. Mr. Daigle was then asked if he knew that Galloux had taken out an insurance policy and he replied that Mr. Galloux had told him about it personally.

Then Mr. Bent put the question about the watch and the witness replied, "I think I did."

"What did Galloux say about it?"

"He told me he had bought a watch to be paid for by weekly payments. The watch cost \$25, and he was to pay \$1 per week."

"Did you know that at some time he was behind in his payments?"

"Yes, he told me at the time."

"When he told you he was behind in his payments, did he say that he had been in fights?"

"Yes, he said that he had been in fights."

"Did you talk to Rivet about it?"

"I did not."

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"Did you talk to Rivet about it?"

Coburn and Brown Have Left the Charity Board

WHITE STAR LINE

To Begin Action Against The Lloyd Italiano Line

JUDGE LACOMB	TRACT OF LAND
FINDS THAT THERE HAS BEEN A DEFAULT	NEAR POWER HOUSE ON MIDDLE SEX IN QUESTION

NEW YORK, Jan. 28.—That there has been a default under the mortgage held by the Guarantee Trust Co. against the Metropolitan St. R. R. Co. has been officially announced by the latter in the United States circuit court here to-day. The trust company sued to recover on its mortgage of \$12,500,000. The court ordered a foreclosure sale of the property covered by the mortgage and the principal and interest were paid within twenty days. The form of the decree will be fixed by the court on February 12. The suit was brought as a part of the adjustment of the financial troubles of the Metropolitan St. R. R. Co., which is now in the hands of receivers. It is considered that the bondholders of the Interborough Metropolitan Co., which holds a majority of the company's stock, will bid it in should the foreclosure sale be finally ordered.

WEEKS BILL
FOR THE CONSERVATION OF THE
FORESTS

WASHINGTON, Feb. 28.—Hope of the passage of the Weeks forest conservation bill is based largely on the character of the bill which while intended especially in the interest of the proposed Appalachian and White Mountain reservations is still general in its character. It was this applicability of the bill to all sections of the country and its harmonizing with the basic ideas of the recent conservation congress that made it possible to get the necessary amendments adopted.

Another feature of the bill which it is believed will appeal strongly to the members of both houses is the fact that it does not provide for the appropriation of a single million from the general revenues of the government.

The Works bill provides that the reserves shall be purchased from moneys received from the sale or disposal of any products or the use of lands or resources from the public lands, now or hereafter set aside as national forests. In other words, it is planned to have the forest reserves of the country so managed as to purchase more forest reserves. The bill provides that the moneys derived from the national forests shall be received in the United States treasury as a special fund to be known as the national forest reservation fund to be used in the examination, survey and acquisition of lands necessary to the water of navigable streams or those which are being or which may be developed for navigable purposes.

While the bill is general in scope, it is acknowledged, however, that the lands in the White Mountains and the Appalachian slopes of the south would be the first bought.

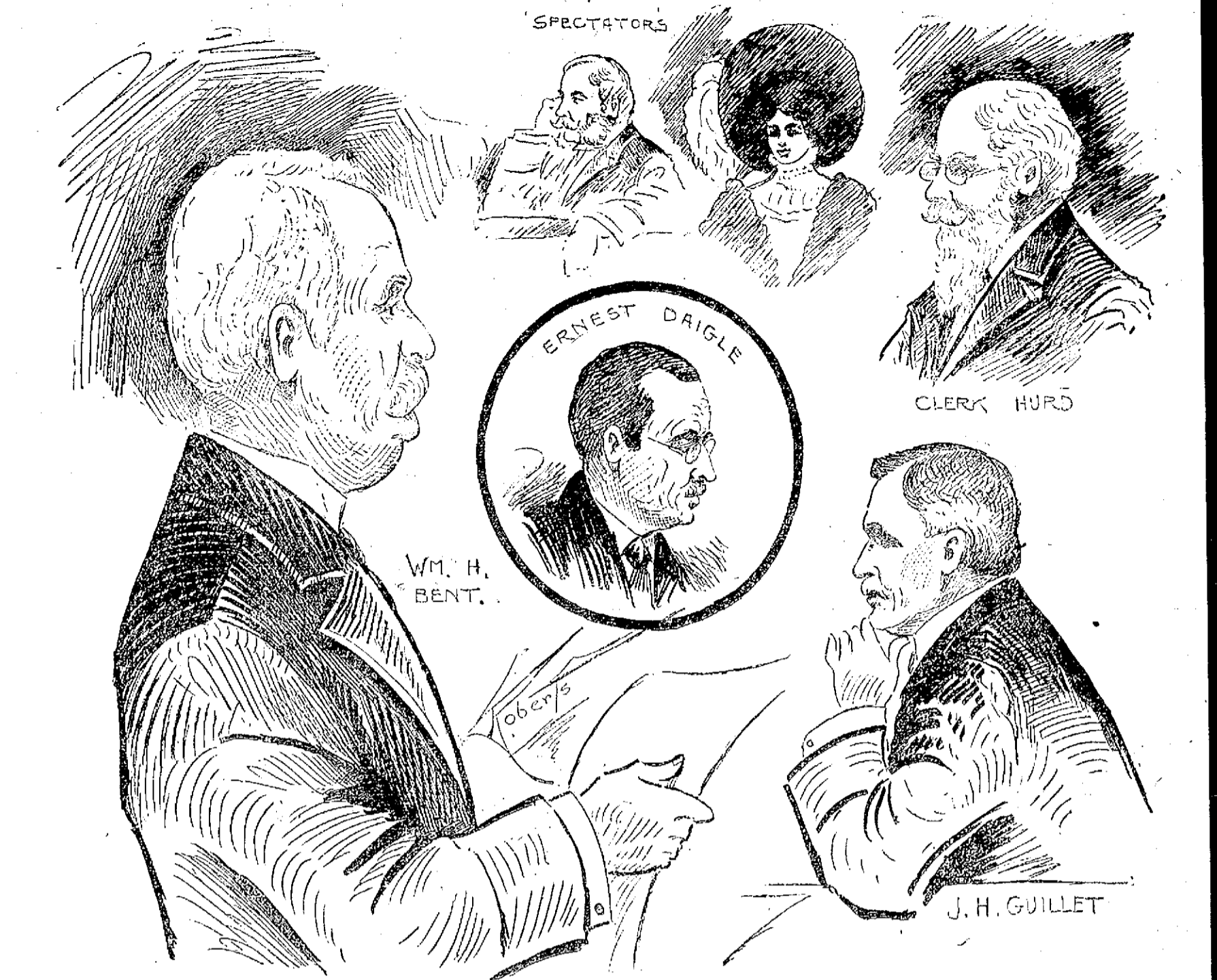
JURY DISAGREED

MEMPHIS, Tenn., June 28. — The jury in the case of Ed. Marshall, charged with the murder of James Earl Ray, disagreed today and was discharged. The case went to the jury last night.

MR. MARSHALL, who was indicted today for the murder of Ray, was taken to the Federal House of Detention in St. Louis, Mo., where he arrived this morning from Washington on his way to Springfield, Ark. Mr. Marshall is the principal subject of the visit was to be made by a delegation of men from the city, with a number of matters which will have under consideration.

LINCOLN DAY

PROVINCETOWN, R. I., Jan. 28. A proclamation calling for a general suspension of business, patriotic exercises in all the schools, and a state of mourning at the statehouse was issued today by Gov. Abram Doolittle, in connection with the celebration of Abraham Lincoln's birthday, Feb. 12, in Rhode Island.



SKETCHES AT THE RIVET TRIAL YESTERDAY SHOWING COUNSEL FOR DEFENSE AND OTHERS

MURDER TRIAL

Continued

"Didn't I ask you if you had come back to Lowell in that six weeks?"
"Yes, sir."
"Then you did come to Lowell some time in that six weeks?"
"I came in at the end of six weeks."
"You say you saw your brother a week before his death in Main street?"
"Yes, sir, for five minutes."
"During that six weeks in Woonsocket did you come to Lowell?"
"No, sir."
"Did you know your brother had succumbed on his life?"
"I did."
"Do you know in whose favor?"
"No."
"Did he have more than one patient?"
"I don't know."
"Your brother drank liquor?"
"I think all the others he drank and he drank." "Do you drink?"
"Yes, when I have a notion."
"Had you been drinking when you met your brother?"
"I had not. I had just arrived from Woonsocket."
"Had your brother been drinking?"
"I don't know. I don't think he comes from work."
"Did you know that he was rooming with Rivett?"
"I did not."

Gailoux's Sister
Mrs. Attila Leroux, a sister of Dr. Gailoux, was next called and in answer to the prosecuting attorney questions testified:
"I last saw my brother night before his death. We talked about illness. He said he was sick. I thought he had taken two glasses of liquor. I asked him where he had, on the liquor, and he replied: 'With friend Rivet.' He told me he was coming from his club and stomach came to me again. I, in the afternoon, he had not yet recovered. I saw him at 2 o'clock the afternoon. We walked at my house the sink. He vomited a green bile, stayed with me and 2 o'clock the afternoon. He said that he had a black back and thought he was going to die."

Mrs. Lemay Cross-Examined:
Cross-examined by Mr. Rags, who said she lived at 15 Marshall street the time of which she testified she lived at 53 Levee street. He then asked her if Rags stayed at the home night if he did he stayed at home.
"Your brother didn't stay at home."
"Sometimes he would take him."
"Did you ever see him smothered?"
"Yes, but not many times."
"Did you know that he was sometimes sick?"
"Very little. As soon as he gets like his brother he was all right."
"What made him sick?"
"When he would take home."

"How many times did you
your knees when did you?"
"Three times," he answered.
the last time."
"What did you remember to
"Grin and bear it."
"What would he say about his
less."
He would tell me he was
drinking."
"Would he complain of his
"No, he never complained of
stomach."
"When he vomited did he
vomited great deal?"
"Yes."
At this point, Ernst began to
Guilty to the cage and held a
pered conversation with him.
"Have you seen people vomit

"I never saw anyone before."
"Was your husband living with you when your brother called?"
"No. He was in Canada."
"Are you divorced?"
"No."
"Did you carry on business in French street?"
"I had boarders and lodgers."
"Men or women?"
"One woman and the rest men."
"Did you know where your brother worked?"
"Yes. He worked for Ernest Duglo."
"Were you ever in the shop of Duglo?"
"Yes, four or five times."
"At what time?"
"In the day time. Different times when I lived in Little Canada I called on his meals."
"Were you ever in the Riddle office?"
"Not until after my brother's death."
"Were you ever there at night?"
"No."
"Did you ever go there with a woman?"
"No, not until after my husband's death when I went in with my sister-in-law."
Albert Guyon
Albert Guyon was called and Wier's first question was "Where were you on the Saturday night before the murder?"
Mr. Bent immediately corrected him with: "Went you kindly refer to it as the night that Garboux was killed?"

Mr. Guyon testified: "Oscar Daigle, Sylvio Emond and I had been to the store and I saw a bottle of beer. We stopped at Daigle's store and got a drink of water. Oscar Daigle tried to unlock the door, but couldn't. Then we saw a light under the door and went in. Oscar daigle and I had a bottle of water, but he did not let us in. Daigle went to get a drink of water, while we went into the store and found Guilfoyle and River. There was a bottle of water and a glass. We drank the water and then went to drink. We finished the bottle and then we went to the door. We said we'd patch in and get one half pint. We gave Guilfoyle a couple of dollars and he gave it to River. He paid a big price for it. We saw a bottle of beer and a bottle of water. We saw bottles of beer and water. We all went out of the store together."

"Mr. River had that half pint of beer and he had a secret."

"He did."

"Did you drink out of that?"

Sylvio Emend. Who was with Daigle and Guyon in Daigle's car the Saturday night preceding the murder, was called. His testimony corroborative of that of his two partners. He was shown a cash phase, and said that it was one that out of which they drank. He did not see Galt'win alive during that night.

Harriet Mudgett

Q. Mrs. Harriet Mudgett was
A. She resides at 42-168 Street
Examined by Mr. Wren
Q. Did you see Rivet on the 22
A. Dec. 22, 1907?
Q. Did you see him about 7 o'clock?
A. Did anyone call with him?
Q. "Who?"
A. "I believe it was Callahan."
Q. "With whom did you speak?"
A. "Rivet."
Q. "What did he do?"
A. "He interpreted what I said to
my husband."
Q. "What did Rivet want?"
A. "Rivet asked to see a room."
Q. "And you showed them a room?"

"I showed them a room for \$1.25 on the third floor, and Rivet asked if he could stay with Gailloux. I replied that it would cost \$1.50 if he stayed there all the time but that he might stay there a few nights without extra cost. When they came down stairs Gailloux paid me \$1.50, of which \$1.25 was for the room and 25 cents for two keys, a room key and a latch key. That was about 7 o'clock.

"What time did you retire that night?"

"About 1 a. m."

"Did Rivet ring your bell that night or try to get in?"

"He did not."

"What clothes did Gailloux wear that night?"

"He wore a light spring overcoat with a brown or black hat."

"How was Rivet attired?"

"He wore a light black overcoat."

"Did you see Gailloux again?"

"At the undertaker's."

"Was it the same man who was your roomer?"

"Yes sir."

"Do you recognize the prisoner, Rivet, as the man who came to your room with Gailloux?"

"He is the man."

The cross-examination was very brief.

Homer St. Hilaire

Homer St. Hilaire, who in Feb. 1907, was employed behind the bar in the saloon of George Keans, corner Moody and Suffolk streets, was the witness.

"Did you see Rivet on the night of Feb. 29?"
 "Yes, I saw him in the saloon about 9 or 9:30."
 "Who was with him?"
 "Joseph Galloway."
 "You knew them both?"
 "Yes."
 "What did they do?"
 "They asked for a glass of beer."
 "Who paid for the drinks?"
 "I served them and Galloway paid them."
 On cross-examination, witness could not locate Kearns' place on the map as he didn't read English.
 By Mr. Bent:
 "Might it not have been as late as 10 that they called?"
 "I don't know, but I think it was 9:30."
 "Can you tell anyone else who was in there that night between 9 and 9:30?"

"No."
"Can you give the name of any one who was there between 2.30 and 10?"
"No, sir."
"How often had you seen Rivet the previous month?"
"I couldn't tell."
"Did you see him at all?"
"Yes, on the street."
"Did you see Gailloux the previous month?"
"Yes."
"Did you see them together?"
"No."
Recess.

Laurient Gronon
At the resumption of the session, Asst. Dist. Atty. Wier examined the

the chronological order the train-
ing of Pierre Bourdais would have
been at this point as Rivet and Gail-
loux went from Ketchikan salmon to B.
goods and bought a drink.

Laurent Grenon, a bartender
employed by Richards in Moody st-
reet was then called and in response to
Wier's questions he testified:

"On the night of Feb. 22 about
11 o'clock I saw Rivet, Gailoux and a man
named Omer Auger standing near the post
office. Gailoux had on a light overcoat.
Rivet had a long black overcoat. Still
before 10 o'clock I saw Rivet, Gail-
loux, but I didn't see Gailoux with
him at that time. When I first saw

they were talking, Galloux using his hands when he was talking."

Cross-examined:

"Did you see any money pass between them?"

"No, I did not."

"How many were in the barroom at the time?"

"About 25 or 30 people."

"Did you see them later?"

"I only saw Rivet. He was going toward the door, but I did not see him go out."

"When did you see Rivet go toward the door?"

"Before or after 10."

"As late as 10.15?"

"I couldn't say; it might have been."

"Did you see any of the others later?"

"I saw Auger about 11.30."

"Didn't the three drink together?"

"No."

"Were they sober?"

"Galloux looked as if he had been drinking, but the others appeared to be perfectly sober."

Omer Auger Called

Omer Auger, the man referred to by the last witness, was then called. He testified: "At the time I had known Rivet about five years and Galloux a year or seven years. I met them at Richard's saloon on Feb. 29, between 9 and 10 at night. When I saw the Galloux was near the door to the front of the bar, standing beside the piano, toward the back of the room. Rivet was sitting at a table near the door, drinking and smoking. He was

not together at the piano. I listened to their talk. Gailloux asked Rivet for a quarter to buy a drink and Rivet gave him 15 cents. Gailloux said, "I don't want a drink, but I'll go with you, afraid to let me have it," and Rivet said, "no," and gave him some more. I left them both standing there as they went up to the bar and had a drink. A few minutes later Rivet came back. He said, "Gailloux and I went back," but Rivet said, "I'll go home." I asked him if he would come back, and he said no. He then started away in the direction of Allen street, I asked if Richard was still there, and he said in French, "He is not," and then went to a pool room next door. I played a game of pool there and then went home.

was somewhere about half-past 10 or quarter to 10 when we went the sidewalk.

Cross-examined by Mr. Bent:

"You are very much interested this case are you not?"

"I don't understand what you mean."

"Have you talked with any of the witnesses on either side about this case?"

"We did talk but not—"

"Did you talk with any witness?"

"Yes, we did."

"What do you mean by we?"

"Myself. I talked with some. Don't remember all the names. I talked with Mr. Greenen, Mr. Gallows."

"Did you go to jail and talk with Ryan?"

"Did you talk to Mr. Griston?"
"Yes."
"Did you try to persuade Mr. Griston that he was mistaken when he said that River was in there eating lunch at 1 o'clock?"
"No, sir."
"Did you tell him that Reed was drunk?"
"No."
"Did you ask Griston what time River was in there?"
"Yes. He said he was in there at 11 and I said it could be was not."
"Why did you tell that to Mr. Griston?"
"We were just talking."
"Had you any interest in when that time?"
"No, whatever."

"Where was Rivet when you first saw him?"

"Leaning against the piano."

"Where was Gailloux?"

"He was standing at the door and he walked up to Rivet."

"Did you approach them?"

"Yes."

"For the purpose of talking with them?"

"Yes sir."

"What did they talk about?"

"Gailloux asked Rivet for a quarter and Rivet laughed and said you didn't need it or something like that. Gailloux said that he wanted to buy a drink and he said: 'You ain't afraid to give it to me. You know about that little clock in the room.' Gailloux said he had 12 or 15 cents, but he wanted to borrow a whole quarter. Rivet gave him some money and I left them."

"What did you see them next?"

"Rivet came up to me and said: 'Gailloux's gone and he didn't buy the drink.'"

"Were you interested to know where Gailloux had gone?"

"No sir."

"But you went out to the door?"

"I did."

"What was their conditions?"

"Both looked all right to me."

"From the time that you stepped out on the sidewalk until 11:30 when you went home, where were you?"

"I remained in the barroom until 20 minutes of 11 and then went to the pool room and played until 11:30."

"From the time that you stepped out on the sidewalk until 11:30 when you went home, where were you?"

time you saw Rivet and Gailloux at the piano and the time you and Rivet went out on the sidewalk to see where Gailloux had gone?"

"About 10 or 15 minutes."

"Asked by Mr. Wain?"

"Did Gailloux show any signs of liquor?"

"Yes, he talked more than usual."

"Why did you go to jail to see Rivet?"

"Some friends told me that he wanted to see me and I went there with a man named Unigo, and his brother-in-law."

Saw Rivet at Jail

"What was said there?"

"I told Rivet that I understood he wanted to see me and he said he didn't mind. I asked him what he thought about the case and he said he didn't know and he didn't want to talk about it."

Mrs. Eugénie St. Hilaire
Mrs. Eugénie St. Hilaire testified:
"In February 29th, 1908, I lived at
225 Alden street. I have known Napo-
leon Rivet for about seven years.
I have a store and take care of it
here. I sell candy, fruit and tobacco.
The store is at 225 Alden street."
Questioned by Mr. Wier:
"How well have known Rivet?"
"Not very well. We always bowed
to each other."
"The last time he met you did he
say 'Hi'?"
"Did you go to parties or wedding
where he was before your marriage?"
"No."

"Did you see Napoleon Rivet on the night of February 20th?"
 "Yes, he passed by my door. I was sitting on the porch two steps from him when he passed."
 "What direction was he going in?"
 "Toward Hill street."
 "Were the windows of your store lighted?"
 "Yes."
 "What did you do when you saw him?"
 "I looked."
 "Did he know?"
 "I didn't pay much attention."
 "What there was it?"
 "He only glances past ten."
 "How did you know?"
 "Mr. Lassard was going out and

continued to page three

LATEST A DEADLOCK

In Negotiations Between United States and Venezuela

CARACAS, Ven., Jan. 26, via Port of Spain, Jan. 28.—The negotiations between W. L. Buchanan, the special envoy of the United States and the Venezuelan government looking to a settlement of the difficulties between the two countries yesterday came to a complete deadlock on certain points contained in the draft of the first protocol and it is believed here that the negotiations will be completely discontinued unless the United States modifies its contention that the claims of the New York and Bermudez Asphalt Co. and the Crinco corporation be submitted to arbitration.

This contention President Gomez considers unjust because Mr. Buchanan will not agree to submit to arbitration as preliminary points the questions of the validity of the judgment of the Venezuelan courts, the awards of the mixed commission or the complexity of the New York and Bermudez Asphalt Co. in the Matos revolution.

President Gomez desires to reach a settlement with the United States but at the same time he feels that he must protect the dignity of Venezuela.

In the matter of the claim of the Orinoco corporation Mr. Buchanan has refused to accept a proposal to submit to arbitration as a previous point the question of the validity of the judgment of the mixed commission and whether or not there was a denial of justice by the Venezuelan courts in this case.

In the matter of the claim of the New York and Bermudez Asphalt Co. Mr. Buchanan has refused to accept the proposal to submit to arbitration as a previous point the question whether or not the company has lost its right to the protection of the United States and whether or not Commissioner Barge exceeded his powers in the award of the mixed commission.

A. F. Jaurit, another of the claimants is to receive a reduced amount without arbitration. All the claimants are to have the chance of reaching a settlement with the government.



THE COOPER-SHARPE MURDER TRIAL

NASHVILLE, Tenn., Jan. 25.—Two panels of telesemen were exhausted in the first ten days of the Cooper-Sharpe trial at Nashville in an effort to obtain a jury to try Colonel Duncan B. Cooper, his son Robin and John Sharpe, charged with the murder of former

bearing upon the killing and purporting to have been made by an actual witness was disqualified. Factional feeling growing out of the fight for and against the new anti-liquor law disqualified many men from service on this jury. This photograph was taken after the case had been in progress several days and while the telesemen were being examined.

MURDER TRIAL

Continued

showed me his watch. It was 20 minutes past 10 by it."

"How long afterward did you see Rivet?"

"Three or four minutes."

"How was he dressed?"

"I can't remember."

Certain of Time

Cross-examination:

"You are certain it was 20 minutes past 10?"

"I am certain. I looked at my husband's watch."

"Did you look at anything else?"

"No, sir."

"Did you testify in the lower court?"

"Yes."

"What time did you give down there?"

"Twenty minutes past ten."

"Did you husband take out his watch and show it to you?"

"He did and said, 'Look and see for yourself.'"

Mr. Bent produced the record of witness testimony in the lower court. This represents the witness as fixing the time 20 minutes past 10 by looking at his clock in her house.

Mrs. St. Hilaire was asked whether she looked at the clock or not, and she replied: "No, I looked at the watch."

"Why did you say you looked at the clock?"

"I looked at the clock, but the clock is always ahead of time."

"When you did not fix the time by the clock?"

"No."

"When you bowed to Mr. Rivet, did he appear to recognize you?"

"Yes, he looked at me and lowered his head."

Mr. Bent again read from the record of the police court hearing, which represented Mrs. St. Hilaire as having said: "I bowed to him but he appeared not to recognize me as he did not bow."

Noon recess.

Afternoon Session

While waiting for court to come in this afternoon Rivet, who since yesterday has been wearing a pair of spectacles, whispered to Lawyer Sullivan that he was wearing a broad smile. He appeared very confident.

Mrs. St. Hilaire was recalled to the stand for further cross-examination.

"How often had you seen Rivet that week?"

"Several times."

Mr. Bent read from Mrs. St. Hilaire's testimony in the lower court in which she said she had seen Rivet two or three times in Aiken street in the week before Gailloux was killed.

The testimony was read to the witness and she replied that it was true.

"In what direction did your husband go when he went out?"

"I do not know."

"How long a walk is it from your house to Bourgeois' place?"

"I don't know."

"How long was your husband gone before Rivet appeared?"

"About five minutes."

"How long before your husband returned?"

"I can't say."

"Did Rivet ever pay you any attention?"

"No."

"Did he ever invite you to any place of amusement?"

"No."

"Did he ever invite you to a wedding?"

"He did once."

"Did you go?"

"No."

"When did you first become acquainted with him?"

"I don't remember."

"How did you become acquainted with him?"

"I can't recall."

"Did you know him in Canada?"

"No."

"Did you ever speak with him?"

"Only when I bowed."

"And he always bowed except this night?"

"Yes."

"Did you look Rivet in the eye when you bowed?"

"I can't say. I just bowed."

"Were you sure it was Rivet?"

"Yes."

"No sir."

"Was he there in line?"

"Yes sir."

Supt. Moffatt

Supt. William B. Moffatt of the local police department testified: "I arrived at Daigle's shop about 2:30 on the morning of March 5. I went into a little office and found the body of the man. Under the writing desk was a large pool of blood. There was an unturned ink well and a whiskey glass containing a dark colored liquid. I left instructions for the glass to be brought in and later Officer Cosette gave me the glass. I kept it until Tuesday when I turned it over to Inspector Maher, when I also turned over a box containing blood. I placed the smaller glass in a larger one so as to prevent the smaller one from spilling. I also received from Officer Byrne a flashlight. Later I received an envelope from Taunton containing a life insurance policy."

Inspector Martin Maher testified that the superintendent had given him a bottle containing a dark liquid which he delivered to Prof. Whitney at Harvard.

Capt. Hugh Downey testified that he arrived at Daigle's store at 12:50 on the night that Gailloux was killed. "I found a key on the floor under the body of Gailloux. I turned it over to Inspector Ladhamme."

Keeper Harry Shaw of the Lowell jail testified: "I was present when Rivet was searched at the Lowell jail. Among other things he had a small electric lamp. Rivet took the lamp out of his pocket and placed it on a table in front of him. He next took out his handkerchief and placed that on the table."

"What did Rivet do then?" asked Mr. Bent.

"I'll have to have instructions from the court to answer that question," said Mr. Shaw.

Counsel for both sides then conferred with the court and witness.

Finally the question was answered. "He placed his handkerchief over the lamp," said Keeper Shaw.

"Did you notice the manner in which he placed his handkerchief over the lamp?"

"Yes."

"Describe his manner?"

Mr. Shaw hesitated, saying that in describing it he might only be giving his own impression.

"Did he do it hurriedly?"

"Yes, it was done quickly."

"Did he glance at you?"

The question was objected to and not answered.

Cross-examined by Mr. Bent:

"Have you a record to show everything that was taken from him?"

"We have."

"Will you produce it in the morning?"

"Yes."

"Those electric lamps are common, are they not?"

"Oh yes, they are very common."

"When you first saw that lamp you knew what it was?"

"That was the first thing he took out."

"Yes."

"Then his handkerchief?"

"Yes."

"You had seen the lamp before he tried to cover it?"

"Yes, sir."

Continued to page seven

UMPIRE KING SIGNS

MILWAUKEE, Jan. 28.—President O'Brien of the American association today announced the signing of Chas. King of Brockton, Mass., as umpire for the coming season.

PRES. LEWIS RE-ELECTED

INDIANAPOLIS, Ind., Jan. 28.—It is authoritatively announced by friends of President Lewis of the United Mine Workers that the count of ballots has proceeded far enough to show that he has been re-elected by a majority of between 15,000 and 20,000 over his opponent, John Walker of Illinois.

CASSIUS MATHEWSON DEAD

PROVIDENCE, R. I., Jan. 28.—Cassius Mathewson, a prominent New England sporting man, died at his home in Centerville today. He was in his 46th year.

SENATOR LODGE

TO ADDRESS THE STATE LEGISLATURE

BOSTON, Jan. 28.—The house today without division adopted the order introduced earlier in the week requesting United States Senator Henry Cabot Lodge to address the legislature on Feb. 12 on the life of Abraham Lincoln.

TO COUNT ELECTORAL VOTE

WASHINGTON, Jan. 28.—A concurrent resolution providing for the counting of the electoral vote on Feb. 10 was passed by the house today.

In Every Manufacturing City

the newspaper with the largest circulation is always an evening paper. Why is it so? Because the masses in such a community have no opportunity to read in the morning. They read in the evening, and when evening comes, they do not want a morning paper containing the news of yesterday; they prefer an evening paper with the news of TO-DAY.

Advertisers who want to reach the masses who earn their money in Lowell and spend it in Lowell should bear this fact in mind. The people who trade in Boston read morning papers. The people who trade in Lowell read evening papers, and the leader of all the local papers, morning or evening, is The Sun.

LOWELL'S GREATEST NEWSPAPER.

If you want help at home or in your business, try The Sun "Want" column.

STEPHENSON LACKS ONE VOTE

MADISON, Wis., Jan. 28.—U. S. Senator Stephenson again today lacked one vote of re-election. When second ballot in joint assembly was taken he received 66 votes. Present 132, necessary to a choice 67.

JAS. J. STORROW TO HELP TRADE

Says Lowell Has Been Most Generous

The following letter which is self explanatory was received today by Mr. J. P. Sawyer, treasurer, Italian Relief Fund:

44 State St., Boston, Mass., January 26, 1909.

J. P. Sawyer, Esq., Treasurer, Italian Relief Fund, Lowell, Mass.

Dear Sir: On behalf of the Massachusetts Italian Relief Committee, I wish to thank you for your letter of January 25th, enclosing check for \$1000, being a third contribution to the Italian Relief Fund from the citizens of Lowell and vicinity. Lowell has been most generous and most prompt in its generosity, and I could not permit the receipt of its third contribution to pass without acknowledging it to you, and through you, to the citizens of Lowell.

Yours very truly,

James J. Storrow,

Chairman, Massachusetts Italian Relief Committee.

The fund is now as follows:

Previous list \$4072.83

Friend 10.

Burton & Hennessy, Sunday 25.

Friend 1.03

Box at Cook, Taylor & Co. 1.06

Total \$4109.77

PRES. ROOSEVELT

SENDS MESSAGE TO THE CUBAN CONGRESS

WASHINGTON, Jan. 28.—President Roosevelt today sent the following message to the president and the congress of the republic of Cuba:

"Gov. Magoun will by his direction turn over to you on the 25th of this month the control and government of the island of Cuba and he will thereupon declare the provisional administration of the affairs of the island by the United States to be at an end. Upon the occasion of this final act I desire to reiterate to you the sincere friendship and good wishes of the United States and our most earnest hope for the stability and success of your government. Our fondest hope is that you may enjoy the blessing of peace, prosperity, justice and orderly liberty and that the friendship which has existed between the United States and Cuba may continue for all time to come."

MARRIAGE INTENTIONS

Martin Zapetky, 25, operative, 29 Summer street, and Amelica Zadolc, 20, operative, 16 Bent's court.

Joseph Hayden (widowed), 30, laborer, 21 Webster street, and Mary A. Joyce (divorced), 31 spinner, 62 Moore street.

Edward Ricard, 21, shoemaker, 103 Tremont street, and Eva Bouin, 13, shoemaker, Haverhill, Mass.

A LADY ON WILDER STREET

Is very emphatic in her comprehension of what she likes, but not at all extravagant. You are not to feel that she means every word that she says, and she really does. She is using Hood's Lotion and she says there is absolutely nothing else so good. It does just what you want it to do. It keeps the skin perfectly smooth and soft, even in the most chapping weather. She says she applies it to her face and hands just before as well as after exposure, and would not be without it. Hood's Lotion is sold by all druggists. 25 cents or 50 cents.

FIRE BROKE OUT IN TUNNEL

RENO, Nev., Jan. 28.—Fire started in the Sutro tunnel at Virginia City last night. All the miners are reported safe. Details are not yet available.

SECOND MESSAGE EX-PRES. KIERAN

Has Not Yet Convinced House Committee

WASHINGTON, Jan. 28.—Even a second veto message has not convinced members of the house committee on inter-state and foreign commerce in the entire wisdom of the president's views on the granting of dam privileges on waters under the control of the United States and as a result it is almost certain that there will be no removal legislation at this congress.

The main point of difference between members of congress and the executive arises over the president's proposal to tax the party constructing the dam for that privilege. While the committee seems willing to agree to a license fee it hesitates to concede to the desirability and the constitutionality of an annual tax upon the use of the waters.

A comprehensive correspondence is now being carried on between the committee and the executive department of the interior and the committee's main object being to reach a determination as to the constitutionality of the proposed tax. The importance of this question is regarded as so great to the business interests of the country that members of the house want to be sure before taking their course that it is believed the question will go to the next congress.

LIQUOR CASES

HEAVY FINES WERE IMPOSED ON DEFENDANTS

AUGUSTA, Me., Jan. 28.—In the superior court yesterday, before Judge Hall, Fred S. Smith of Pittston, who pleaded guilty to several breaking and entering and larceny charges, was sentenced to one year in state prison. Odell Butler of Waterville, on the charge of assault upon Police Officer Herbert Gibbs of Waterville, was found guilty by the jury and sentenced to pay \$50 and costs or serve 60 days in jail. Exceptions were filed.

County Attorney Ray A. Hildreth of Gardiner, as has been his custom during this term of court, moved a jail sentence upon Amos Nadeau of Waterville, when he came up for sentence upon a liquor nuisance indictment and an appeal liquor case from the Waterville municipal court. The court imposed \$200 and costs or 90 months in jail on the liquor nuisance, and \$100 and costs or 60 days in jail on the appeal case. Nadeau filed exceptions.

Louis Sabino of Waterville was fined \$250 and costs or 60 days in jail on a liquor nuisance case. A. P. Lewis of Waterville was fined \$50 and costs or 30 days in jail. Eli Clukey of Waterville, upon two counts charging larceny, was fined in one case \$49 and costs or six months in jail, and in the second case 30 days in jail.

THE EMMANUEL MOVEMENT

BOSTON, Jan. 28.—The leaders of the so-called Emmanuel movement in this city announced today that hereafter no person would be received at the church for treatment for disease in any form unless the patient has been examined by a physician. The new rule has been suggested by an advisory board of physicians of Boston and the leaders of the new movement hope that the new rule will meet the criticisms regarding it by medical men.

BOSTON COPPER MARKET

BOSTON, Jan. 28.—The stagnation in the local copper market was still in evidence at the opening today and during the first hours there was very little trading. As noon the market had a revival and stocks strengthened.

LEANDER PECK DEAD

PROVIDENCE, R. I., Jan. 28.—Leander Peck, 67 years of age, died at his home in the city of Providence, R. I., at his home last night. He was born in Barnstable, Mass., in 1841. At the time of his death he was engaged in the woolen business.

CHANGES PLAN

ROOSEVELT WILL NOT ACCOMPANY TAFT TO WHITE HOUSE

WASHINGTON, Jan. 28.—President Roosevelt will not follow Taft and ride back to the White House March 4 with his successor in office. He told a New York congressman today that he would so direct his private car that he would take the night train to New York and then the morning train to Washington.

The president's purpose was made known in replying to the invitation of the New York county committee to be allowed to ride as his personal car on the way from the capital to the depot. The county committee will form a part of the great parade to the capital, and with the exception of the train and return to their place in the line on the return march.

RECEIVER NAMED

For New England Fire Insurance Co.

PROVIDENCE, R. I., Jan. 28.—Robert L. Spencer of this city was this afternoon appointed receiver of the New England Fire Insurance company, one of the largest stockholders of the Central Trust Co. of this city, which was liquidated Jan. 19. The appointment was made by presiding Justice Willard B. Tanner in the superior court.

When the New England Fire Insurance company was organized in 1905 \$100,000 of its \$200,000 capital was paid in and the balance two years later. As soon as the Central Trust company became embarrassed the insurance commissioner, knowing the close relations between it and the New England Fire Insurance company ordered the latter not to write any more new business.

In October last year it was stated that the insurance company's assets amounted to \$190,000 which included 250 shares of stock in the Central Trust company valued at \$27,000 in addition to deposits in the trust company. When the stockholders of the trust company assembled it was stated that the company held 923 shares of the Central Trust company and had a deposit in the latter institution of \$3800. The book value of the Central Trust company stocks was placed at \$105,075.

At that meeting an attempt was made to have the company reorganized but it was finally decided to liquidate.

NEW OFFICERS

WILL BE CHOSEN BY ST. PETER'S

H. N. S. THIS EVENING

The regular meeting of St. Peter's Holy Name society will take place in the Fair hall this evening and from the talk one hears throughout the parish among the members, a very large number will be present. The principal item of business is the annual election of officers and there are four lively contests on for positions on the board of officers.

Pres. John J. Coyne steps down after two years of very creditable work and in his place will be chosen Mr. William F. Daly at present vice president and a hard worker in the organization.

For vice president a close contest is anticipated for the candidates, Andrew Souza and Richard Lyons are both popular and capable, which leaves the ultimate result difficult to forecast. There are other contests on with the following candidates:

Board of trustees, three to be chosen: Thomas Kane, William Boyle, Michael McElhinney, Daniel Toomey, John Corey and John Murphy; literary committee, three to be chosen: Albert Hagglin, John Cox, James Cook, James F. Healey, Joseph Welch and Joseph Scanlon; marshal, one to be elected: Hugh A. McDermott and James Starr.

For the remainder of the officers there appears to be no opposition and those officers will be elected.

At the meeting will be presented the report of the special committee appointed to consider a plan of observing St. Patrick's day. In view of the decision of the associated societies that no formal observance of the day take place it is said that some of the societies take kindly to the idea that celebration take, and will arrange for one.

ASST. ATTY. GENERAL

WASHINGTON, Jan. 28.—The president today nominated Alton Taylor of New York to be assistant attorney general.

Mr. Cooley was formerly chief service commissioner and later held the same office to which he was recently nominated.

FISHERIES TREATY

WASHINGTON, Jan. 28.—It is practically admitted here that the fate of the Newfoundland fisheries treaty is now in the hands of Sir Robert Borden, the premier of Newfoundland, and in the hands of the British government.

It is probable that strong pressure will be brought to bear upon him to give the treaty. Although Secretary Borden has signed the convention it will not be official until signed by Ambassador Bryce with the consent of Sir Robert Borden.

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PRES. ROOSEVELT

Determined to Put Navy in Fighting Trim

WASHINGTON, Jan. 28.—President Roosevelt thinks that the organization of the navy department is not such as to bring the best results, and yesterday he appointed a commission whose announced duty it will be to consider certain of the navy's department.

The president's action was somewhat of a surprise in view of the fact that the members of the commission appointed yesterday met two weeks ago at Washington and endorsed Secretary Newberry's plan of reorganization, and in view also of the authorization by the senate of an inquiry into naval expenditures, the conduct of business, and the need, if any, of legislation to improve the administration of the navy department.

Announcement of the president's action was entirely unexpected at the navy department.

Secretary Newberry, who issued an

order carrying out his proposed plan, with particular reference to the navy yards, appeared to be the most surprised of all. He said that he was not aware that the president had taken such action, had not seen letter of appointment addressed to the various members of the commission and did not know the purpose of the letter addressed to him. His first information on the subject came to him from the press.

The president has sent identical letters to each of the eight members of the commission, which is headed by Paul Morton, a former secretary of the navy, the other members being Justice Moody, also a former secretary of the navy; Judge A. C. Dayton, formerly chairman of the house naval affairs committee, and Rear Admiral S. B. Luce, A. T. Mahan, Wm. M. Folger, Robley D. Evans and Wm. P. Cowles, all of whom are on the elected list.

He sets out certain subjects for the committee to consider under two general heads: first, as to the fundamental principles of an organization that will insure an efficient preparation for war in time of peace; and, secondly, specific recommendations as to the change in the present organization that will accomplish this result.

THE HIGH WINDS

Blew Down Three Story Frame Structure

NEW YORK, Jan. 28.—High winds which prevailed today played havoc with new construction in various parts of the city, particularly in the Bronx. A three story frame structure was blown from its foundation and the walls of a half finished three story brick dwelling collapsed. Nearby structures were damaged by flying debris. Many suburban buildings had their roofs ripped off. In the harbor small craft were torn from their moorings and set adrift.

WOMAN KILLED

At a Fire in Newark, N. J. Today

NEWARK, N. J., Jan. 28.—A fire which practically destroyed the home of Philip Rankin, today resulted in the death of a maid, Anastasia Burns, and serious injuries to her sister, Nellie Burns, both of whom leaped from the third story window of the Rankin home. Mrs. Rankin reports the loss of several thousand dollars worth of jewelry in the fire. Anastasia Burns fell to the sidewalk and was instantly killed while her sister jumped to the roof of the kitchen in the rear of the house. She was removed to the hospital. The other occupants of the house escaped injury.

TAKING A REST

Motorman of Car That Killed Four

CHICAGO, Jan. 28.—Four persons having been killed beneath the wheels of electric cars of which he was motorman and two women having been maimed for life, L. A. Broadway is now taking a voluntary rest to recover his nerves.

Within another week he expects to be at work again, and says he trusts his car will never kill another person. He is not particularly sure of such luck as he says people seem to be taking greater chances with electricity every day.

In none of the accidents in which his car has figured he has been censured by the coroner. He is an employee of the Chicago & Milwaukee electric line.

A motorman in Chicago of these new high powered electric cars, he says, "has a nerve racking job all the time. I have worked on steam roads, and would rather take an express run at 75 miles an hour with a locomotive than to try to keep the express schedule of the electric. You often have to make 55 miles an hour."

"People generally take all sorts of chances with electricity. They completely disregard the fact that the electric lines often are running faster than steam cars. They jump in front of electric cars where they would give a steam train a wide berth."

TO REOPEN BANK

W. L. Stevens Has Been Made Cashier

SOMERSWORTH, N. H., Jan. 28.—It was expected that during today and Friday the balance of the \$55,000 voluntary assessment asked for last Thursday by Receiver Bean of the defunct First National Bank would be contributed by the stockholders so that everything would be in readiness to reopen the institution next Monday as planned. The bank was closed several weeks ago following the declaration of it as insolvent by the receiver, E. M. Varnum. Receiver Bean was absent from here yesterday, so that the exact amount received up to today was not announced. A number of large stockholders signified their intention to pay their share of the assessment today.

It was said unofficially that the new cashier elected by the directors to succeed E. M. Varnum is Wm. L. Stevens, a former Somersworth man now in the paymaster's department of the Boston and Maine railroad at Boston. Mr. Stevens is a brother of Sidney F. Stevens, a director of the bank and resided here up to about eight years ago.

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When Fitzpatrick got around to it, he reported the matter to the police. In the meantime Boyle took the watch to Harris, the Appleton street jeweler, and the latter gave him \$5 for it, which Boyle claims he divided with his companion.

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When Fitzpatrick got around to it, he reported the matter to the police. In the meantime Boyle took the watch to Harris, the Appleton street jeweler, and the latter gave him \$5 for it, which Boyle claims he divided with his companion.

Inspector Martin Maher was detailed to investigate the matter and after locating the watch and getting a more description of the man who sold the watch started to search for Boyle. Inspector Maher saw Boyle in Merrimack street yesterday morning and with the assistance of Patrolman William G. Kamps placed him under arrest.

ALLEGED CROOK

James Boyle Arraigned in Police Court

THOMAS W. GRAY COMMITTED WHOLESALE LARCENY

Woman Made Her 35th Appearance—Epileptic Arrested—Woman Fined \$50 For Illegally Keeping and Selling Liquor—Stiff Sentence Given to Man Who Assaulted His Wife

James Boyle, who is considered one of the cleverest crooks in and about Lowell at the present time, was arraigned before Judge Hadley in police court this morning on a complaint charging him with the larceny of a gold watch, the property of Michael Fitzpatrick. Boyle pleaded not guilty of committing the larceny, but said he would plead guilty to having sold stolen property.

The government asked for a continuance and Boyle was held under \$500 for his appearance tomorrow morning.

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OUR POSITION AS LEADERS IN THE PIANO BUSINESS

Enables us to give you every advantage it is possible to secure and at the same time assure you that the

QUALITY AND VALUE IS THE BEST

New Pianos We Sell At
\$185
Others Charge \$250
PIANOS WE SELL AT
\$225
Others Charge \$300
PIANOS WE SELL AT
\$275
Others Charge \$350

If you intend buying a piano, it will pay you to call and look over our stock, we have 100 pianos on our floor for your selection.

We Have a Few Bargains in Used Upright Pianos at \$69, \$78, \$110, \$118.

RING'S

At the Big Clock

110 MERRIMACK STREET

The Largest, Most Reliable Piano House.

GIVEN SETBACK

Blow to Ballooning in America

WASHINGTON, Jan. 28.—Ballooning in America has received a decided setback according to officials of the war department as the result of the refusal of the house committee on appropriations to set aside a sum for military aeronautics. The signal corps desired at least \$500,000 for the new branch of the service, assurance being given that the dirigible balloon was beyond the experimental stage and was an instrument of much use in time of war as a component part of the equipment of any well-regulated army. It was pointed out that France has three dirigibles and Germany four while the Italian army is in a measure equipped with them and reports are that the Russian army is adding them to its equipment.

The plan was to have this government obtain a number of medium-sized balloons such as the one acquired last summer.

When General Allen, chief signal officer, was before the committee he was questioned as to the possibility of firing at balloons with mortars.

"It is not believed that you are going to fight a balloon," said the general, "with anything except a balloon. You cannot shoot a balloon down with guns because it has horizontal and vertical motion and nobody can hit it. It is almost impossible to find a balloon at a thousand feet even on a moonlight night."

"We do not believe that the aeroplane will ever take the place of the dirigible balloon," he continued.

"Experience shows that the aeroplane will carry only a very light load and the minute you commence to carry any load you must put on the gas bag. It seems hardly possible that aeroplanes are going up to the height that a dirigible balloon goes."

BOMB THROWN

EMPEROR OF KOREA ABANDONS HIS TRIP

TOKYO, Jan. 28.—A special report from Seoul conveys the news that while the imperial entourage was en route to Korea and Count Itô of Japan, who are making a trip of inspection through northern Korea, was en route to Peking, one of the emperor's aides attacked the home secretary with a sword.

The official escaped with his life, but suffered a wound, the severity of which, however, is not yet known.

A bomb was thrown in a residential building erected at Katsuyama for the reception of the emperor.

The general feeling of unrest has caused the imperial visit to Peking to be abandoned.

FUNERAL NOTICES

WALLACE—Died Jan. 26, Eugene C. Wallace, aged 55 years, at the Lowell General Hospital. Funeral services will be held Friday afternoon at 2 o'clock at the home of the undertaker, George W. Healey, corner Branch and Union streets. Friends invited. Burial private. Please omit flowers.

MCLAUGHLIN—Died Jan. 26, McLaughlin, aged 55 years, died this morning at his home, 212 Hale street. The deceased was a member of the A. O. U. W. and leaves to mourn his loss a widow, Ann, two sons, Ross and Anna, and a brother, James. Funeral services will be held at the residence, 212 Hale street, Sunday afternoon at two o'clock. Friends invited. The funeral will be under the direction of Funeral Director J. A. Weinbeck.

DEATHS

CONLEY—John Conley, died this morning at his home, 212 Hale street. The deceased was a member of the A. O. U. W. and leaves to mourn his loss a widow, Ann, two sons, Ross and Anna, and a brother, James. Funeral services will be held at the residence, 212 Hale street, Sunday afternoon at two o'clock. Friends invited. The funeral will be under the direction of Funeral Director J. A. Weinbeck.

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THE LOWELL SUN

JOHN H. HARRINGTON, Proprietor

SUN BUILDING, MERRIMACK SQUARE, LOWELL, MASS.

Member of the Associated Press

THREE DOLLARS PER YEAR. TWENTY-FIVE CENTS PER MONTH

The sworn daily average circulation of The Lowell Sun for the year 1908 was

15,956

Sworn to by John H. Harrington, proprietor, Martin H. Reidy, business manager, and Alfred Pilote, pressman, of The Sun, before me, January 1, 1909. J. JOSEPH HENNESSY, Notary Public

This is by far the largest daily average circulation of any newspaper in Lowell.

So far as Lowell is concerned the Boston Herald seems to think nothing too ridiculous to print.

The merchants of Lowell are preparing for the greatest spring trade ever done in Lowell. The people should give their hearty cooperation.

CAPTAIN SEALBY'S HALO.

There was an air of affectation in the heroism of Captain Sealby in refusing to leave the sinking Republic until he had to swim from the top of the mast.

To make the matter still worse the captain of the whalback steamer, City of Everett, comes forward to say that he could have benched the sinking steamer had Captain Sealby accepted his offer of relief. This and the charge of fast running in a fog made against the captain will be investigated in due time. It is not unlikely that before the inquiry is over Captain Sealby's halo of heroism may fade away.

AN UNNECESSARY MEASURE.

One of the bills introduced in the legislature last week is intended to make parents responsible for any damage done to property by their minor children. No doubt this measure has been suggested by some act of vandalism done by gangs of boys out of mischief or malice. It is difficult in many cases to find a remedy for the depredations committed by juveniles, and if such a law as this were enacted it would probably have the effect of causing parents to exercise closer supervision over the acts of their children outside their homes. The bill, however, is one that would undoubtedly prove to be a hardship on poor parents, and as such it might as well be dropped. It is a fact that parents who can pay seldom refuse payment for whatever damage may be done by their children without going to court.

OPPOSING DR. WILEY.

The referee board, appointed by President Roosevelt, has decided against one of Dr. Wiley's rulings on pure food matters. Dr. Wiley is recognized as one of the best and safest authorities on such matters in this country. He decided that benzoate of soda is an injurious preservative, but the Roosevelt commission decides that it is not bad for the stomach, and hence when we purchase fruit or meat as fresh we may expect to find either "treated" with benzoate of soda.

Dr. Wiley was doing splendid work in promoting the purity of food stuffs offered for sale throughout the country, but President Roosevelt thinks it necessary to have a finger in every pie, and consequently his commission has overruled Dr. Wiley, and it's a result the good work may be suspended or stopped by Dr. Wiley's resignation.

THE CHARITY DEPARTMENT.

The proposition is made by Mayor Brown to displace Supt. Courtney of the charity board because of some unpublished charges or some dislike harbored against him by the mayor.

Let there be no quibbling in this matter. If the mayor insists upon Mr. Courtney's retirement for cause, or in other words on account of anything he has done or failed to do, well and good, let the charge be specifically made against Mr. Courtney and let him have an opportunity to defend himself. If he is to be forced down and out for no particular cause except that he is persona non grata with the mayor, let that fact be known.

By his refusal to resign Supt. Courtney has shown that he is not afraid to meet any charges that may be preferred against him.

When it is decided to drop an official it is cowardly to blacken his reputation without cause as an excuse for his removal. The mayor and the charity board should be candid with the public on this matter.

The work of the charity department is of such a nature that more, perhaps, than any other department, is it necessary to have therein officials who are thoroughly conversant with the local conditions, and who from long experience can readily distinguish between the worthy poor and the lazy loafers who would never do a day's work if they could get their support from the city. Moreover, it is necessary for some official in the department to be familiar with the intricate settlement laws upon which claims for relief are largely decided. Few lawyers in Lowell know much about these laws because they have had no occasion to look them up. But there is a vast amount of legal red tape to be gone through often in dealing upon the merits of a single application for relief, and it is necessary to pass upon such cases promptly so that the applicants may not suffer from delay.

An official who is familiar with this law and with the other laws regulating the responsibility of cities and towns for the support of their dependents in other cities and towns, it may be in other states, is absolutely indispensable to the right direction of the pauper department. To appoint a man as superintendent who is ignorant of this legal knowledge would be a grave blunder and would undoubtedly result in serious loss to the city as bills would be paid to other cities that should not be paid, and relief would be granted to local applicants who have no claim upon our charity.

Superintendent Courtney is an authority upon all these laws, and should be removed the board will find itself seriously handicapped by the loss of his advice on legal points as well as upon difficult matters of administration in which he has had long experience.

The charity department is the one and only municipal department that has been preeminently successful in reducing expenses and putting the department work upon a thoroughly economic and business basis. Yet it is among the first to be overhauled, with the result that one member, the most capable man to be found in Lowell, has resigned while others may follow if blind prejudice, rather than business capacity and honest effort, is to be the ruling principle.

SEEN AND HEARD

PRETTY GOOD CREED

This is my creed: To do some good.
To bear my lot without complaining.
To press on as a brave man should
For honors that are worth the gaining;
To seek no profits where I may
By winning them bring grief to others.
To do some service day by day
In helping on my toiling brethren.

This is my creed: To close my eyes
To little faults of those around me;
To strive to be when each day dies
Some better than the morning found me;
To ask for no unearned applause.
To cross no river till I reach it;
To always have a worthy cause
To fearlessly and fairly press it.

This is my creed: To wisely shun
The sloughs in which the foolish wallow.
To lead where I may be the one
Whom weaker men should choose to follow.

To keep my standards always high.
To find my task and bravely do it;
This is my creed—I wish that I
Could even live half way up to it.
S. E. Kiser in Chicago Record-Herald.

If you happen to catch a police officer in a funny mood and he should have the time to spare, he can if he will tell some funny stories of his experiences as an arm of the law. I was invited to join a group of them who were care-free a few evenings ago and they told stories of their experiences that were rich and rare—yes, some were a bit spicy.

One told of an arrest that he once made by request, and as usual, the arrested one got more than he bargained for. A fellow who had all the earmarks of a knight of the road approached the officer in Central street and told him that he was foot-sore and weary.

"I want to be locked up," he said, "just for tonight." It was then early in the evening and the fellow was absolutely sober.

"I can't arrest you," said the officer, "you're not drunk."

"Oh, that's the game, is it," said Mr. Hobo. "Just wait a minute," he continued, "and I will give you an exhibition of the drunkest man that ever tried to navigate in a public thoroughfare. I'll fall all over you in a minute."

Then he walked away and went up the street a ways. In the meantime the officer had taken a friend into his confidence and told him to watch proceedings. After the hobo had gone quite a distance he turned and came back. It wasn't a case of retracing his steps for he was taking both sides and the middle of the sidewalk. As he approached the officer he fell against him, but the officer paid no attention to him. The hobo, however, had determined to make good and as he crossed Market street he met a dapper little fellow who was waiting on a case. The hobo threw his arms about the neck of the dapper little fellow and took him, kid gloves and all, to his bosom. This of course, angered the little man and knowing that the officer was an eye witness to the "assault" ordered the hobo arrested.

The officer complied with the little man's request and the hobo was taken to the police station.

"What will I look him for?" asked the keeper.

"Assault on an unknown man," said the officer.

"Come off, there, come off there," said the hobo, soft pedal on that assault. "I'm drunk, that's all, and in police court the next morning he was charged with assault on an unknown man. He tried to explain but finally decided to plead guilty. The judge heard the story and the hobo was sentenced to the common jail for a term of 30 days. On the way to the cell he told the keeper that the next time he struck well he would be bona fide drunk.

A thought for today—"If you would have sunlight in your home, see that you have work in it; that you work yourself and set others to work. Nothing makes a man more cheerful and hearty than to have a house so full as his neighbors. The very children bloom, and walk if they are left with nothing to do."—Brooks.

PEOPLE OF NOTE

Mr. and Mrs. Charles Dana Gibson are to go to Washington to be guests of Representative and Mrs. Burke Cockran.

No theatrical or musical event in Germany in many years has been anticipated with such widespread enthusiasm as the production at the Deutsches Opernhaus of Richard Strauss's new opera, "Elektra," which occurred last night. Those who have attended the rehearsals pronounce it one of the most remarkable achievements of thrilling musical effect ever conceived.

The keen interest taken in the last performance is shown by the fact that the whole theatre was sold out weeks ago. Extravagant prices were offered by ticket holders by those who had not been able to buy tickets when the box office closed two days ago.

Mme. Selmann-Hellin, the famous German-American contralto, who is cast for the role of Clytemnestra, says the vocal parts are "not singing at all, but a thunderous melody of groans, cries, sighs, requiring intense dramatic power and almost outbreaks of passion and fury." She has gone through several rehearsals and has emerged each time much wearied by the extreme effort.

The role of Elektra, which was sung by Frau Krull, was originally offered to Miss Rose Francis, an American, who had to decline the honor, remarking that the part was too much of a strain upon her vocal powers. She avers that the part is twice as exacting as that of Salome.

One critic who sat through a rehearsal solemnly avers that the thunder of the Wagner orchestra is a mere whisper beside that of "Elektra." The orchestra will consist of 135 pieces.

"Elektra" is designated by Strauss himself as a musical tragedy. He does not follow the text of either Sophocles or Euripides in his version of "Elektra," but takes rather the remarkable story written by Hugo von Hofmannsthal, one of the most beautiful things in modern German literature.

Strauss has treated the tragedy with the idea of making the hero the personification of revenge. The scene in which Elektra is left alone to mourn her father, Agamemnon, whom Clytemnestra and Aegisthus have cruelly murdered, is magnificent. It fairly vibrates with suppressed passion and outbursts of fearful intensity.

President Angell of the University of Michigan has reached the age of 80, strong in body and mind, and with still such a grasp upon his profession that no word will be listened to by friends of the university of his withdrawal from the presidency. He was past 30 when he gave up teaching to become, at the beginning of the Civil war, a newspaper editor, and nearly 40 when he gave that work up to become a college president. At 52 he became a professor and at 62 he became a president. He has remained a practical demonstration that three score years and ten is not the natural limit of man's capacity to work.

DR. EDWARDS' Dandelion

Best Known Remedy

FOR Rheumatism and Malaria. Stimulates the kidneys so as to eliminate the uric acid that causes Rheumatism and Kidney Disease, regulates a Torpid Liver; acts gently and without gripping on the bowels; disinfects the entire alimentary canal and produces a clean, smooth skin and clear complexion, by eliminating all poisons from the system.

Unequalled for Dyspepsia and all Stomach trouble; is purely vegetable, and is so guaranteed under the Pure Food and Drugs Act. 25c a box at

ELLINGWOOD & CO., Lowell, Mass.

Send postal for free sample to Schenck Chemical Co., 54-56 Franklin St., New York City, Manufacturers.

"A Perfect Blood Purifier."

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FUNERAL DIRECTOR,

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ST. THOMAS' SALVE

FOR

Piles, Old Sores and Skin Diseases

FOR SALE

At All Up-to-Date Drug Stores

THIRTY-FIVE CENTS

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ATTORNEY AT LAW

Hildreth Building Lowell, Mass.

ELECTRIC AND COMBINATION FIXTURES

At Manufacturer's Prices

AT

DERBY & MORSE'S

64 Middle Street, Lowell, Mass.

WILLIAM RIGG

The well known and reliable piano and furniture mover will attend to all orders large or small, promptly and on or out of town, and the day made in doing so. Order by telephone or in person at 10 Prescott St., Boston, or at 100 Middle St., Lowell. Mr. Rigg is in charge of packing.

PHYSICAL CULTURE AND BOXING INSTRUCTOR.

Dunlop's Hall, Third Floor. Open from 8 to 12 a. m. and 2 to 4 p. m. Take

Fresh Clams Every Day

At the Lowell Inn. Fresh fish, clams from the Boston wharves. Lobsters fresh from traps. Mails fresh and whole. Call on Mr. J. W. LOWELL INN, busiest place in Central street.

Blockedaded

Every Household in

Lowell Should Know

How to Resist It.

The back aches because the kidneys are blocked.

Help the kidneys with their work. The back will ache no more.

Lots of proof that Doan's Kidney Pills do this.

It's the best proof for it comes from Lowell.

Miss Addie Uickford, living at a Franklin street, Lowell, Mass., says: "I had dull backaches for some time, and often suffered from pains in the region of my kidneys. The source of most annoyance, however, was the too frequent action of the kidney secretions. Doan's Kidney Pills, which I procured from ELLINGWOOD & CO.'S drug store, relieved the backache and entirely rid me of the kidney difficulty. I then inquired my mother to try the remedy for her back and she was gratified to find prompt relief through its use. I have recommended Doan's Kidney Pills to several of my friends, who have used them with the same beneficial results."

For sale by all dealers. Price 50c. Foster-McMillan Co., Buffalo, New York, sole agents for the United States. Remember the name—Doan's—and take no other.

Brass, Composition

Bronze and Aluminum

CASTINGS

Brass Finishing

In All Its Branches

Competent Workmen

Reasonable Prices

Work Called for and Delivered

AM. MASON SAFETY TREAD COMPANY,

Perry Street, Lowell

Tel. 1400.

NEW Merrimack Hotel

E. H. VIEN, Prop. Opp. City Hall. Rooms, 50c, 75c, \$1.00. Rooms for the week, \$2.00 and up.

OPEN DAY AND NIGHT

American Plan

Rates, \$2 and \$2.50 per day

work. These two instances show the folly of an age limit to mental and physical activities or of discouraging new beginnings for the individuals past what is recognized as youth. The statistics are in a minority in this country. It is the land of opportunity that knows no age limit.

GARAGE BURNED

Manchester Fire Caused \$80,000 Loss

MANCHESTER, N. H., Jan. 28.—The garage of Oscar W. Bonis and George W. Upton, 16-18 Myrtle street, containing thirty automobiles, was gutted by fire early last evening, entailing a property loss of \$80,000.

The chauffeur in charge of National Bank Examiner Norwin S. Bonis's machine was at work repairing the machine, when an electric light globe on the front of the machine suddenly tipped to the floor and ignited a quantity of gasoline which had leaked from the tank. Instantly there was a blaze, which spread with great rapidity through the large frame building, consuming the machine after machine. Of the total number stored in the building but three were saved.

Among the machines destroyed were two of ex-Gov. Chas. M. Boyd, Chas. H. Coffey, Geo. H. Chandler, Herbert P. Tink, Frank Emerson, Wilson F. Higgins, James A. Wellman, J. W. Johnston, Frank Olsen, H. P. Todd and John H. Hibel.

The machines were valued from \$200 to \$500 each. Most of the owners had insurance on their machines, but the firm of Bonis & Upton carried no insurance, and all of their effects were destroyed.

The firemen did commendable work, confining the flames to the interior of the garage.

HELD A DANCE

MOVING PICTURE CLUB HAD MANY GUESTS

The Lowell Moving Picture club composed of the operators and employees of the several moving picture establishments in this city, held a moving picture dance last night in Associate hall.

The dance was a novel affair. From the top of the rear of the stage hung a large screen and during the evening pictures were thrown on the screen from a machine in the gallery. Between the reels—not the dances—there was singing by young ladies.

Music was by the Calumet orchestra. The singers who gave their services to help make the affair a success, were the Misses Frances Mansfield, Margaret Curry, Valerie Sweetser, and Flora Hayer, and John J. Myers and Thomas P. Glynn.

The officers of the dance were: General manager, Frank L. LeDuc; floor director, William S. Perry; chief of the dance, Roger Lang; chief operator, Al. B. Rogers; chief of the band, J. J. Thomas; P. Glynn, John Glynn, Charles Whiting, William Hannahan, Fred Messer, George W. Moon, Benjamin O'Hara, Frank Burnett, George Kirby.

MAYOR WHITE

HAS DOW CONFIRMED AS CITY PHYSICIAN

LAWRENCE, Jan. 28.—Mayor White last night stole a march on the aldermen opposed to the confirmation of Dr. George W. Dow as city physician by recommending him in the absence of Aldermen Burns and the appointment was confirmed, 5 to 2. Aldermen Maloney, Moss and Legendre were in favor and Aldermen Miller and Woelkel opposed. Aldermen Burns took his seat a couple of minutes after the confirmation. Again the order to have an investigation of the street department was deferred. Aldermen Moss and Maloney being in favor and the other four voting in the negative.

The mayor announced three new men for the police department. Edward H. Croisdale will succeed Cyrus R. Lawrence as night janitor, William Trull takes the place of William Jordan and James H. Whitte as day janitor. James Keen as night wagon man. The new men were made special policemen and the others, who are permanent policemen, will be assigned to patrol duty.

In joint convention a committee was appointed to arrange for an observance of Lincoln day. The committee consists of the mayor, Aldermen Maloney and Miller, President Hughes and Councilmen Dooley, Granwald and Rushforth.

LOWELL CHORAL SOCIETY

The 25th winter concert of the Lowell Choral society will be given in Associate hall, Merrimack street, Sunday, January 31st, at 3 p. m. The concert promises to be an excellent one. The Lowell Choral society of fifty voices will sing Max Bruch's "Fair Ellen" and "Hail, Bright Abode," from Wagner's Tannhauser, and "The Pilgrim Chorus" by Verdi. Mrs. Caroline Hooker and Mr. David Worth G. Provance will sing the solo parts in "Fair Ellen." The Lowell Festival orchestra of twenty pieces, under the direction of Mr. E. C. Lavigne, will play two selections: Overture "Egmont" by Beethoven and "Second Rhapsody" by Liszt, and will assist the Lowell Choral society in its vocal selections. Mr. Wilfred Kershaw is the pianist and accompanist. Four of the best singers in Boston will sing solos: Mrs. Caroline Hooker, Messrs. Arthur J. Hubbard, W. G. Provance and Hackett.

The Walter Johnson recently arrested for larceny on Middlesex street is not the Walter Johnson connected with the Dempsey studio of this city.

INSIST ON THE GENUINE

The white blood corpuscles are the protectors of the human body against the inroads of bacteria carrying the deadliest contagious diseases. It has been proven by actual tests that persons taking

TRUE'S ELIXIR

have a greater number of white blood corpuscles than before taking True's Elixir.

It has kept the system toned for three generations (67 years). Why not start and take it to-day?

85c. 50c. \$1.00

PUTNAM & SON CO.

166 Central Street



SOME SURPRISINGLY GOOD BARGAINS

—IN—

Overcoats for Large Boys

FORTY OVERCOATS for boys 9 years to 16, sold for \$3.50 and up to \$5.00 \$2.50

WARM FRIEZE OVERCOATS, sizes 8 years to 16, strictly all wool, blue or Oxford. Made up full double breasted, finely tailored. Were \$6.00, now \$3.75

FINE OVERCOATS for boys 9 years to 16. A collection of handsome coats that sold for \$8.00. Now to close..... \$5.00

BOYS' COAT SWEATERS, plain Oxford or Oxford with fancy borders; the best sweater ever offered for..... 50c

BOYS' CAPS—Children's Sailor Tams and fine mohair tams—all of these from our regular lots, sold for 50c, 75c and \$1.00. Now 25c

BOYS' NEGLIGE SHIRTS, plain white Oxfords and printed madras. Made over very full patterns; double stitched and felled seams—taken from 50c lots. Now to close..... 25c

CANCELS GAMES

Of the Lowell High Basketball Team

All basketball games of the boys of Lowell high school have been cancelled for this season. Cyrus W. Irish, master of the high school, says it is done because of the alleged actions of some Lowell high school boys at Fitchburg a few weeks ago. Mr. Irish says he is not a fan of the basketball team, as he has been waiting for the boys to come forward and they have not done so.

Outside the school members of the basketball team say they had no trouble at Fitchburg, where they were beaten ten days ago. It surprised persons outside the school to learn games had been cancelled, as the team of this year, judging by the game played with the alumni, was considered the fastest for years.

ENGINEERS MEET

SEVERAL SPEAKERS ADDRESSED THE MEMBERS

The local union of the Steam Engineers met last night at 32 Middle street. The attendance was large and the conclusion of the business meeting speaking and refreshments were enjoyed. Among the speakers heard were Arthur M. Huddell, vice president of the International union; William M. Beck of the state board of boiler rules; and William N. Whalen, president of local 16 of Boston. There were many other speakers also.

BUNTING CRICKET CLUB

The board of management of the United States Bunting Cricket and Athletic association held its regular weekly meeting at the Arlington hotel last Tuesday night, with President Abbott in the chair. Several applications for membership were received and seven renewed their membership. The delegates to the football and cricket leagues made their reports of the latest meetings in both leagues.

The quarterly meeting of the members, which is to be held in Spinners hall, Friday, Jan. 29, will be largely attended. Business of vital importance to every member will be discussed, and some action taken. The reports of the officers for the quarter will be very interesting to all who attend. The club is in an excellent financial condition and is growing in membership. The building fund continues to grow, and the debt on the building has been reduced several hundred dollars since the annual meeting.

The board of management has again offered the use of Bunting park to the joint committee of the Sons of St. John, and Manchester City Old Fellows, for a gala event for the benefit of the Bunting Cricket and Athletic club of both organizations, and efforts are being made to have this event take place on White-Saturday, so as to make it a White-Saturday affair after the custom of the events in Europe.

ON OREGON PLAN

LEWISTON, Neb., Jan. 28.—The house yesterday passed the Oregon plan, a bill to provide for the election of United States senators on the Oregon plan. The vote was 58 to 22. The bill is expected to pass the senate.

Governor Shafter has said he will sign it.

DANCING PARTY

WAS HELD BY THE JOLLY TWENTY-FIVE

A very pretty dancing party was held in Prescott hall last night under the auspices of the Jolly Twenty-Five club. The attendance was large and a dance order with a large number of dances was carried out. Music for dancing was furnished by Kitzred's orchestra.

The success of the party was due to the zealous work of the following efficient committee: General manager, Thomas Carty; assistant general manager, Bernard Daly; floor director, Bernard Burke; assistant floor director, James Daly; chief aid, Thomas Callery.

Aids: William Shannon, George Pickup, G. Whalen, P. Daley, J. Groulx, J. Burke, A. Heenan, J. McLaughlin, T. McNamara, T. Edwards, R. Caniffie, James Burke, W. Devaney, T. Quinn, S. Farrar, T. Gallagher, E. Stick, E. Cox, S. Unsworth, H. Devaney.

Treasurer, T. McNamara.

BILLERICA

Dr. Roscoe G. Baker, formerly of Billerica, has been appointed bacteriologist of the health department at Denver, Colo.

Plans have been completed for a progressive whist tournament between the members of the Billerica Republican club and the Father Mathew Total Abstinence Society. The tournament will consist of three nights' play, two of which will be held at the Republican club.

The Asa John Patten Sewing circle, Ladies of the G. A. R., met yesterday afternoon with Miss Josephine Callahan of North Billerica. Refreshments were served by the hostess, assisted by Miss Minnie Callahan and Mrs. S. Murphy, after which a musical and social hour was spent.

TEACHERS' MEETING

A meeting of teachers, high school pupils, and others who may be interested, will be held in the hall of the high school Monday afternoon, Feb. 8, 1909, at 4:30 o'clock

LASTED 12 YEARS

Chicago Woman Finally Gets Judgment

ROCKVILLE, Conn., Jan. 28.—Judge William S. Case of the superior court, in his decision just handed down in the case of Eugenia C. Matthews of Chicago vs. Mira L. Converse, Lida A. Lee, Louis S. Converse and Jeanie G. Converse, all of Salem, O.; J. Chas. Converse of Springfield, Mass., and the Eastern realty company of New York, which was heard at the June term, 1908, of the tolland county superior court concerning the possession of certain land in Tolland county, awards the plaintiff \$16,744.72. Mrs. Matthews is a daughter of the late John Converse, one time a prominent manufacturer of Stafford Springs and Mira L. Converse is his widow. The others are also children of the late Mr. Converse, and all at one time were residents of Stafford Springs. The really serious claim of possession of the lands to which the suit was brought, the case has been in the tolland county superior court in one form or another for more than 12 years. In 1905 Mrs. Matthews was given a verdict for \$15,152.62, but she was able to collect only \$1474.96 of this amount.

CREATES SCENE

Assyrian Made a Scene When Sentenced

BOSTON, Jan. 28.—Invoking "Mazuma" to destroy Boston as he had Mes-sina, Salim S. Samara, an Assyrian, caused a stir in the criminal session of the superior court yesterday before Judge White, after a sentence of three years in the house of correction had been imposed upon him.

He cried aloud, but the only words that were intelligible were "Mazuma" and "Mazuma." The latter word, he said later, meant "God," and he said he called upon him to visit disaster on Boston as he had on Messina.

He attempted to escape from the prisoner's cage while thus yelling. Officer McDonough seized him and after a brief tussle took him from the pen, and with the assistance of other court officers placed him in the detention room.

Samara had been convicted of an assault with a dangerous weapon on a man named Lucia Dec. 30. Assistant District Attorney Isaacs told the judge he had been acting strangely, but he stated that sentence he imposed and the doctors at the prison could examine him to see if he was insane.

The court was told that Samara had not lived with his wife for five years and had not supported his children for four years. Mrs. Samara and Mr. Isaacs talked with the judge at the bench. At the close of the talk the court pronounced the sentence to the clerk, who made it known to Samara. The latter had been sitting in the cage and when he heard the sentence he made the outburst mentioned and tried to get away.

WOMAN ELOPED WITH DIVORCED HUSBAND OF HER DAUGHTER

NORFOLK, Va., Jan. 28.—Mrs. Eva Gordon of Iacona, N. H., who eloped here and lived with Fred Sargent, the divorced husband of her daughter, was fined \$50 and costs in Judge Simmons' court yesterday.

Mrs. Gordon was not in court and her bond was declared forfeited. It developed that she left here for Boston last Saturday. The case against Sargent will be heard on Feb. 6.

Clarence Merrell Sargent, the 3-year-old son of Mr. and Mrs. Sargent, who Mrs. Sargent alleges was stolen from her after he had been awarded her by the court and on whose account she sought and prosecuted her mother and former husband, will be given to his mother here. He is now in the hands of the society for the Prevention of Cruelty to Children.

VICTIM BURIED

The Funeral of Eugene Lynch Held Today

BOSTON, Jan. 28.—The funeral of Eugene Lynch who died at a Brooklyn hospital on Tuesday as a result of injuries received in a collision between the Republic, on which he was a passenger, and the steamer Florida, was held at the church of the Immaculate Conception in this city today. At the same time a requiem mass was sung for the repose of the soul of Mrs. Lynch who was killed in the collision and whose body was carried down with the Republic when that ship sank on Sunday night. Hundreds of friends of Mr. and Mrs. Lynch crowded the church and remembrances in the shape of flowers were many. At the close of the service the body of Mr. Lynch was taken to Springfield for burial.

BADLY BEATEN

A Prominent Brooklyn Doctor Was Attacked

NEW YORK, Jan. 28.—Dr. Philip Moxon, a physician of Brooklyn and a classmate of John D. Rockefeller, Jr., was set upon and beaten by three men on his way home early today from the Brown alumni dinner at the Hotel Astor. The physician was knocked down and kicked in the face and would undoubtedly have been killed had not his assailants been frightened. His injuries are not serious. Passersby heard the shouts for help and ran to his aid. The three men fled, though one man was captured after a hard chase. He gave his name as John Nevins, a chauffeur, and protested his innocence.

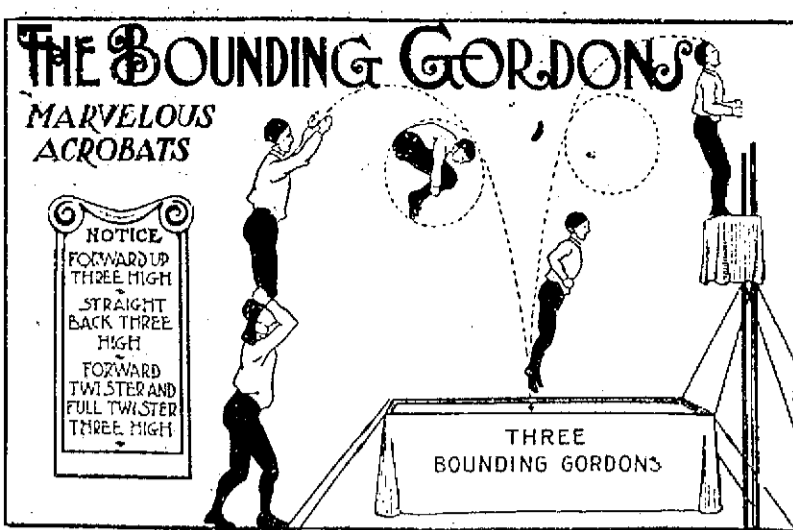
If you want help at home or in your business, try The Sun "Want" column.

LOWELL OPERA HOUSE

"Polly of the Circus," Margaret Mayo's real American play with dignity and lovable little Mabel Taliaferro as "Polly," was presented at the Opera House last evening before a fair sized audience, but by no means the attendance that the production deserved. Fortunately, it will be repeated this evening, and the standing room sign should go up early, for if "Polly of the Circus" is not the greatest play ever written it is certainly one of the "best" as the theatregoer will describe it, one of the most satisfying that has been seen here this season, one of those plays, few and far between, that sends everyone home perfectly satisfied and enthusiastic over the performance.

There has never been a play written as yet imbued with the atmosphere of the great American circus, but some-where concealed under the canvas had a fine account of real human interest, heart interest, that something that gets to the soul of the spectator from the first scene and holds his attention undivided until the last word has been spoken. Furthermore, there has never been written a play into which the playwright has injected the immortal dialogue of Ruth and Naomi of old but which has a beauty drawn from the most prosaic auditor. And in all the world of the drama one cannot call to mind an actress as perfectly fitted for the part of "Polly," as conceived by Margaret Mayo, than youthful, winsome, and clever little Mabel Taliaferro. It almost seems that she was an accessory before the fact, and that the play was written with a picture of charming little Mabel ever in the mind's eye of the playwright. After Margaret Mayo finished with the play, Frederick Thompson did the recitation which is to be appreciated most readily by all.

The enterprising present agent has already presented a synopsis of the play in these columns, but he said nothing about the wealth of detail, and the scenic beauty and accuracy of the production. It's a story of the old wagon shows that once filled their courses over the New England roads and are still doing business in the middle west, where the scene of this play is laid. There are three acts and two tableaux, and the third act in which the tableaux appear furnishes a superb climax. The first act has two scenes representing the parson's study and the parson's study and the injured parson, and where she "hands" the unsophisticated parson some of the breeziest language of the sawdust ring. The second act finds "Polly" in the open in a charming environment of autumn leaves and flowers where she entertains a party of interesting children and where later she rises to the dramatic heights in her determination to return to the circus, though in love with the new life, rather than embarrass her benefactor, the parson. The first scene of the third act shows the dressing room of the circus with the performers and the help preparing for the stunts of genuine circus performers. The second scene is the interior of the circus with the different acts in progress. "Polly," driven to desperation by the manager's threats, dashes on to do her act, followed closely by the parson, who takes her away from the circus, and she falls in his arms in the centre of the ring. The final scene is the circus lot after the departure of the show. It is night, and along the country roads slowly winding over the hills to the next town are seen in the distance the



"THREE BOUNDING GORDONS"

The "Three Bounding Gordons" are making a hit at Hathaway's theatre this week, and the fact that two of them, the Kenney brothers, are local boys, adds to the interest and admi-

circus wagons, their lights twinkling like so many stars as they move away, but without "Polly," who, remaining behind with her lover, the parson, repeats the words of Ruth: "And whether thou goest, I will go; and where thou lodgest, I will lodge. Thy people shall be my people, and thy God my God." The company is strong throughout. Miss Taliaferro is possessed of a personal charm that would captivate an audience under any circumstances. In this case the charm is enhanced by the nature of the play. She is also a decidedly clever actress and is capable of stronger dramatic work than is required by the part of "Polly." "I'd like to take her home with me," was the verdict of the women critics present. Some people who have seen a backwoods country minister since they left the old place, thought that Earl Brown as "Rev. John Douglas" should present a more ministerial appearance. But he should not have. He was equal to the requirements of the part, both in voice and manner. John Findlay as "Toby," the old clown, gave an excellent bit of character acting, while Joseph Brennan, a former Lowell man, as "Father Jim," the big, gruff, but good hearted tent boss, gave a faultless interpretation of a difficult role. Mattie Ferguson as "Maudie," the darky nurse, was another whose character work stood out prominently. There were 40 people in the production, and there were no weak spots. Among the company are several well known circus performers and the "props" included two beautiful circus horses, a dozen trained ponies and a kennel of "acting" dogs.

"Polly of the Circus" is a play that will long be recalled with keen delight by all who witness it. It will be repeated tonight.

"GIRLS"

Charles Cherry, the principal male character in "Girls" which is to be presented at the Opera House, Jan. 29 and 30, was the cause of a very amusing scene.

In the first act Mr. Cherry makes his appearance in a black suit, the illustration of the three young men-laters, by means

tion that is made manifest at each performance. The Kenney boys are well known in Lawrence, and a goodly number of their friends from that city has witnessed their aerial flights and acrobatic twists, turns and tumbles at the Hathaway. The grace and ease with

which they do the seemingly impossible things but proves the old adage, that practice makes perfect. Audiences in foreign countries have wildly applauded the subtle and agile trio, and the applause from across the water reaches at home.

ing his search he finds time to pause long enough to give an impersonation of President-elect Taft, sing some capital songs and tell a number of new stories.

Neil O'Brien, Al Johnson, Eddie Mazzier, Will Oakland, Fats Dazell, W. H. Hallett, Rees Prosser, W. H. Thompson, Tommy Hyde, Herbert Willson, Geo. M. Yall, Joe Katus and Master Kegan are the principals in Dockstader's support. There is a chorus of thirty, a large orchestra and an elaborate scenic production. The sale of seats begins today.

HATHAWAY THEATRE

That's a funny cooking range used by the "O'Rourke's" in "The One Best Bet," headlined at Hathaway's theatre, this week. It has fourteen knobs to pull out and numberless levers to turn. The combination used in order to broil steak puzzled "Daniel O'Rourke," the race track man, and the result was decidedly funny. John T. Kelly, one of the funny men in vaudeville, appears in this laugh compelling skit. He is a very funny man.

Kalmer and Brown have a novel dancing sketch, and Fred Bosman proves to be a funny comedian. He is called "The Dress Suit Shingling Comedian." "Steeley and Edwards" mix comedy and music in an entertaining manner, and Emma Losce, the little girl with the big voice, scores well. Ben Beyer and brother open the show with some comedy cycling feats and the Bounding Gordons, with two Lowell boys performing, close a varied performance. The Hathascopes have good pictures.

Performances will be given every afternoon and evening during the remainder of the week.

Kendall Weston, who was associated here in the palmy days of stock with Rose Stahl, Portia Mallett and others, will return to this theatre next week in a sketch entitled "What Money Cannot Buy." Another former prime favorite to appear in a sterling sketch is Max Freeman.

ACADEMY OF MUSIC

This is Thursday and Thursday means a complete change of bill at the Academy, including the illustrated song program and three reels of new pictures presented here for the first

CASTORIA

for Infants and Children.

The Kind You Have Always Bought has borne the signature of Chas. H. Fletcher, and has been made under his personal supervision for over 30 years. Allow no one to deceive you in this. Counterfeits, Imitations and "Just-as-good" are but Experiments, and endanger the health of Children—Experience against Experiment.

The Kind You Have Always Bought Bears the Signature of

Chas. H. Fletcher

In Use For Over 30 Years.

THE CENTAUR COMPANY, 31 N. MURRAY STREET, NEW YORK CITY.

time will be given and this includes six pictures, each telling a complete story of its own and the entire bill giving two hours solid amusement. The pictures are different in character, with no two alike, thus giving that variety that is the spice of the theatrical entertainment. Some depict humorous subjects, others give the drama, while some are of a descriptive nature while all are carefully selected and admit of no objectionable features for the well known policy of the Academy is to have only the cleanest, the newest and the best. Parents are invited to bring the children to the matinee performances and the management assures them that nothing that would offend the most fastidious will be presented. The price of admission is but 10 cents and all seats are free. Go early and get a front seat.

STAR THEATRE

Doings in the East Side, New York city, are depicted in the talking picture "Maggie, the Dock Rat," which was presented at the Star theatre this afternoon for the first time by the new company of actors and actresses. New songs, "I Would Miss You" and "Jungletown," were sung. There will be a change of program tomorrow. The price of admission is five cents, entitles patrons to seats.

MAY RECOVER

THE DOCTORS ARE HOPEFUL OF MRS. NICHOLSON

WALLA WALLA, Wash., Jan. 28.—The doctors today were greatly elated to find both Mr. and Mrs. Archie Nicholson doing well after the transfusion yesterday of the extraordinary quantity of two quarts of blood from the veins of the husband into those of the wife. Mrs. Nicholson seemingly was dying from loss of blood when the operation was decided upon. She is now expected to recover.

If you want help at home or in your business, try The Sun "Want" column.

TO THE DISAPPOINTED For the benefit of those who could not get cocoanut cakes the first of the week, we would say that we get one lot a week coming to us—Fridays—literally fresh from the oven. Our low price of 7c a dozen necessitates our buying in quantity, and as we will not sell them unless absolutely fresh, we buy just enough for Friday and Saturday sales. Howard, the druggist, 137 Central street.

LANTERNS

50 Cts.

W. T. S. Bartlett

653-659 MERRIMACK ST.
The Uplown Hardware Store

Bay State Dye Works

SPECIAL NOTICE

All persons having left goods and not called for them in the past six months will please call for their property as we are crowded for room. If not called for by February 1st we will be obliged to dispose of them and will no longer be responsible for these goods as we must have the room they occupy at Bay State Dye Works, 54 Prescott street. Per order of D. J. LEARY, Proprietor.

CANNED GOODS

Well filled cans, newly packed, pure delicious foods.

Blueberries, finest high bush 12c
Red Raspberries 14c
Black Raspberries 14c
Peaches, luscious, ripe fruit 12c
Pineapple—Extra quality, 12c

Strawberries 10c
Silver Coin Brand, 3 for 25c.
Plums—Royalton Brand, 10c
Blackberries 12c
Tomatoes—Extra fancy, solid packed 8c
Peas—Sweet and toothsome 8c
String Beans or Wax Beans 6c
Sugar Corn, Tender, sweet 6c
Baked Beans, very fine, 8c
Van-Camp and Columbia condensed soups. Made from the finest materials—All flavors. 6c

Sardines—Fancy American brand 7 for 25c
Potash, 1 can 6c
Karo 8c

CONDENSED MILK

Challenge Brand 9c
Lakeside Brand, 3 for 25c

SALMON

Pink 9c can
Alaska Red 11c can

TEAS

We are selling some of the finest blends of Formosa, Oolong, Gunpowder, Assam and Japan Tea at 25c lb. 5 lbs. for \$1.00. We refund money if not satisfactory.

COFFEE

We are agents for United States Refining Co.'s Coffee and cheerfully recommend it as it is blended so as to produce a most pleasing taste.

1 lb. canister 20c
1 lb. bag 20c

COCOA

New England Cocoa, warranted strictly pure.
1/4 lb. cans 7c
1/2 lb. cans 14c
Houton Cocoa 1/4 lb. can 6c

SOAPS

All well seasoned. Wellcome, Borax, Naphtha, White Ribbon.

7 bars for 25c
Swift's "Tuck" famous laundry, 12 bars for 25c
Famous Old Dutch Cleanser 8c
Borax—20 Mule Team brand 10c
Washing Powder, 4 lb. pkg. 15c
Swift's Pride, 10 for 25c

Saunders' Market

159 GORHAM ST., COR. SUMMER. TEL. 2489

Satisfaction is assured in all purchases, as we know a satisfied customer is our best advertisement.

Specials

Best Rump Steak, best cut of best heavy beef. 15-18c
Best Sirloin Steak, 2 lbs. for 25c
Nice Fresh Rump Butts 8 1/2c lb.
Best Round Steak, 2 lbs. 25c
Swift's Best Smoked Shoulders 7 1-2c lb.
Hamburg Steak 10c lb. 3 lbs. 25c
Fresh Pork Shoulders 8c lb.
Fresh Pork Loins - - - 9c-10c lb.
Pork Butts 9c-10c
Fresh Killed Fowl 13c-14c lb.
Short Cut Choice Legs of Lamb 10c-12c lb.
Squire's & North's Sugar Cured Hams 10c lb.
Best Corned Beef 5c-6c
Large New Potatoes, nice and mealy 23c pk.
Large New Onions 25c pk.
Rex Brand Skinned Smoked Hams 10c lb.

Fine Granulated Sugar 5c lb.

We allow 20 lbs. to a customer.

BUTTERINE-- The Very Best 13c to 15c

We carry the "New England" brand. This is a Butterine of absolute purity, according to a United States monthly sworn statement.

Saunders' Market

MISCELLANEOUS

Wetmore's Cocoanut. 6c
Codfish, pkg. 6c
Mince Meat, pkg. 6c
Prunes, large and fancy, 6c
Manhattan gelatine, bright and sparkling, 6c
New line of D'Zerta Food Co.'s goods.
D'Zerta Our Pie, all flavors 6c
D'Zerta Jello, assorted, all flavors 6c
D'Zerta Ice Cream Powder, all flavors 6c
D'Zerta Quick Pudding, Chocolate, Vanilla, Orange Macaroon, Lemon, Tapioca Pudding 6c
Evaporated Apples, 1 lb. box 10c
Raisins, 1 lb. box 8c
Currants, 1 lb. box 9c
Corn Starch 5c pkg.
Lump Starch, 2 lbs. for 9c

LARD

Pure Lard—Swift's and National Packing Co.
38 lb. Pails 11c lb.
3, 5, 10 lb. Pails 12c lb.
Compound Lard—20 and 40 lb. Tubs 8 1/2c
Swift's Jewel, 3, 5, 10 lb. Pails 9c lb.

BOTTLED GOODS

Lemon Pie Filling, 3 lb. Mason Jar 15c
Ketchup, 1 qt. size 10c. 3 for 25c
Extracts—Vanilla, Ginger, Peppermint, Lemon, best quality, absolutely pure 6c
German Mustard, large and fancy schooner. 8c
Large bottle, 10c size, 6c
Worcestershire Sauce. 6c
Horse Radish, 10c size. 6c
Bluing—Large bottle, 6c
Ammonia—Large bottle, 6c

FLOUR

"Gold Key" and our celebrated "Searchlight" flour, \$6.00 bbl., 80c bag.
"American" flour makes fine white bread, always gives perfect satisfaction, \$6.00 bbl., 70c bag.
Pastry flour, 65c bag
"Acme" or "Gold Best."
Hecker's Reliable Self-raising flour. 19c pkg.
Hecker's Buckwheat flour, 3 lb. pkg. 18c. 1 1/2 lb. price 9c.

LINCOLN DAY

May Not be Made a Legal Holiday

BOSTON, Jan. 28.—The legislative committee on legal affairs has voted to report leave to withdraw on the petition of Representative Brown of Medford, that Lincoln's birthday be declared a legal holiday for this year. The Medford representative made it clear that he sought legislation to affect only the 1909 anniversary of the birth of Lincoln. The committee, however, is apparently unanimous against the proposition and will file its adverse report today.

For some days the wisdom of declaring Feb. 12 a legal holiday has been seriously questioned at the state house. Gov. Draper was interviewed several times as to his attitude on the matter, but he always replied that he would be guided entirely by the sentiment of the legislature. Legislators and the governor himself, however, have been receiving letters from different parts of the state, many of them from school teachers, which suggested that the making of the day a legal holiday would interfere with the commemorative exercises planned for the day. They believed that the best celebration and the most fruitful one would be in the school-rooms. This suggestion was strong with the governor even before the presentation of Representative Brown's bill.

Yesterday, Representative Weeks of Everett submitted in the house an order extending to Senator Henry Cabot Lodge an invitation to address the legislature. In joint convention on the life and works of Abraham Lincoln, the address to be delivered Thursday afternoon, Feb. 11. Under the rules, the order went over till today.

The consensus of opinion at the state house is that no contest will be made over the Lincoln birthday proposition. The legislature will not care to interfere with the numerous school and other celebrations that have been planned for that day.

The house refused to concur with the senate in sending the anti-injunction bill to the committee on the judiciary. On motion of Representative Park of Fall River the house sent the matter to the committee on the judiciary.

The bill to authorize labor unions to fine their members was disposed of in a similar manner.

With Senator Grimes of Essex dissenting, the judiciary committee reported the bill to provide for the appointment of a second assistant district attorney for the northern district.

The upper branch had something of a political field day, the discussion being started when Senator Teeling of Suffolk urged his amendment to the rules so that one-eighth of the membership of the senate (five members) could secure the call of the yeas and nays on any question. The present rule requires that one-fifth of the membership shall join in the request for a roll call. Senator Teeling believed his amendment a fair one. It would enable the minority party in the senate to secure the recording of the members of the body on important questions. He referred to the rule in other states.

Senator Potter of Worcester was against the proposition. He had told the Suffolk member that he would agree to a change that would provide for a roll call on request of six members, but the Teeling amendment provided roll calls when only five asked for them. This, he said, was going too far.

A pole, who had been employed on the farm, was arrested here last night and is being held by the authorities as a suspect.

CONUNDRUM SUPPER

The attraction at the Highland M. E. church last evening was a conundrum supper and entertainment, which was given by the members of the Bowditch league and the Pierian club of the church. The attendance was large and the affair was a great success. The evening's entertainment consisted of selections by an orchestra; readings by Miss Ethel Trueworthy; songs by Mr. Herbert Webster, Jr., and Miss Harriet Moran.

Mrs. J. P. Slater and Mrs. Harry Maguire had general charge of affairs. Credit for the affair is due James Grant, president of the society, and Walter Bills, chairman entertainment committee and the others who assisted him in its management.

PLEASE BEAR IN MIND THAT

NICHOLS & CO. 31 John St.

ARE SELLING TEAS AND COFFEES AT DIFFERENT PRICES, ACCORDING TO QUALITY, AS FOLLOWS.

TEAS 16c, 18c, 19c, 23c 28c, 33c, 38c lb.

COFFEES 15c, 18c, 23c, 28c a Pound

We Roast Our Coffees Every Day, and on the Spot

NICHOLS & CO. 31 John St.

Originators in Lowell of reliable high grade Teas and Coffees at wholesale prices. No false quality on our Teas or Coffees.

DOOR CHECKS AND SPRINGS THE WELL KNOWN RUSSELL & ERWIN AND U. M. MAKES \$1.50

Originally Sold From \$3.00 to \$5.00 ONLY A FEW ON HAND BARTLETT & DOW, 216 Central St.

MINE WORKERS

Do Not Favor Independent Party

INDIANAPOLIS, Ind., Jan. 28.—Beginning with discussions between the two factions into which the 1400 delegates are divided, yesterday's session of the United Mine Workers of America closed with a record action on numerous resolutions, the most important of which recommended modifications in court procedure in regard to injunctions. It was the sense of the convention, as expressed in this resolution and in the speeches that accompanied its adoption, that a restraining order should not be issued on application of an employer unless the employees against whom the order was directed had been advised of the action and given a chance to appear in the court, that in the case of a contempt proceeding growing out of alleged violation of such an injunction, the hearing should be before another judge than the one that issued the writ and the trial should be by jury.

Under the provisions of the act creating the department of commerce and labor, the commission of corporations is empowered to gather data concerning corporations engaged in interstate commerce. One class is of a general character, and the other is of a detailed character, which may be made public in the discretion of the president. Several days ago Commissioner Smith was called before the committee and he testified that he did not procure any information for the president under the latter provision. This being true, the members of the committee have taken the stand that they are entitled to receive such data concerning the Tennessee coal and iron Co., which Mr. Smith declined to furnish such information.

Anticipating a demand for this information upon the secretary of commerce and labor, President Roosevelt called for and received all of the files connected with the case. The judicial committee issued a resolution, directed the secretary of commerce and labor to send such information to the committee as had been procured under the authority given the commissioner to inquire into matters of a general character concerning corporations. It is likely that this resolution will be accepted.

No decision has been reached as to call Mr. Smith as a witness. It is regarded as probable that if he is again subpoenaed he will decline to testify by direction of the president, who is understood to have taken the position that the data is of more confidential nature, notwithstanding it was not procured for the purpose of "sneaking" as put by the president, and is regarded as the property of the department of commerce and labor.

Another important question before the judicial committee has been its authority to subpoena witnesses. The resolution adopted by the senate does not give this authority to the committee, but the chairman, Sen. Clark of Wyoming, has stated that the committee possesses general authority and specific permission under such a resolution as was made in the merger case is not required.

A subpoena has been served upon George W. Perkins of New York, manager of the banking house of J. Pierpont Morgan & Co., to appear before the committee on Friday. Subpoenas have not yet been issued for H. C. Frick or Judge E. H. Gary of the United States Steel corporation. In fact, the committee has not decided whether these men will be called at all.

It was they who presented to President Roosevelt, during the recent financial stringency, the alleged necessity for permitting the steel corporation to buy the stock of the Tennessee Coal and Iron Co., and to merge the two concerns to save financial institutions which carried a majority of the stock of the Tennessee Coal and Iron Co.

Mr. Perkins will be examined about the stock of the Tennessee Coal and Iron Co., especially as to the names of the persons who hold the stock and whether there was need of the sale as represented to the president.

Senator Clark has received from numerous sources letters declaring that the Tennessee stock was purchased by certain men in order to carry out the plan of the steel corporation and that the whole transaction was in the nature of unnecessary stock juggling.

GRAND LARCENY

IS THE CHARGE AGAINST WILLIAM GOW

NEW YORK, Jan. 28.—Charging that William Gow deliberately appropriated \$145,000 belonging to the estate of the late Carrie McGuire from the Borough Bank of Brooklyn, where it was on deposit, to open the International Trust Co., a Manhattan institution, capitalized at a million dollars, District Attorney John F. Clark outlined yesterday before a jury in the supreme court the people's case against Gow, who is charged with grand larceny in the first degree, Gow having been indicted under one of the six indictments against him, jointly with Howard Maxwell, formerly president of the Borough Bank of Brooklyn, and Arthur D. Campbell, the former cashier of the institution.

MILLS SOLD AT AUCTION

CHARLOTTE, N. C., Jan. 28.—The Southern and Resemmer City Cotton Mills were sold under the hammer at Resemmer City yesterday by George C. Cone, receiver. The Southern mill was bought by G. Stephens of Charlotte, representing a syndicate of creditors for \$150,000. The Resemmer City mill was sold to General John Gill of Baltimore for \$100,000.

The indebtedness was estimated at \$320,000. The creditors will receive approximately 20 percent.

DON'T WRITE BUT TELEPOST

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THE PRESIDENT

Has All Information Proves its Title Clear to "Coal Saver"

WASHINGTON, Jan. 28.—President Roosevelt has in his possession all of the information gathered by Commissioner Herbert Knox Smith, of the bureau of coal, relative to the purchase of the Tennessee Coal and Iron Co. with the United States Steel corporation. Members of the special committee on judiciary which is charged by the senate with the investigation of the authority of law under which the president permitted the merger, believe they are entitled to the data, but they don't know where they are to get it.

Under provisions of the act creating the department of commerce and labor, the commission of corporations is empowered to gather data concerning corporations engaged in interstate commerce. One class is of a general character, and the other is of a detailed character, which may be made public in the discretion of the president. Several days ago Commissioner Smith was called before the committee and he testified that he did not procure any information for the president under the latter provision. This being true, the members of the committee have taken the stand that they are entitled to receive such data concerning the Tennessee coal and iron Co., which Mr. Smith declined to furnish such information.

Anticipating a demand for this information upon the secretary of commerce and labor, President Roosevelt called for and received all of the files connected with the case. The judicial committee issued a resolution, directed the secretary of commerce and labor to send such information to the committee as had been procured under the authority given the commissioner to inquire into matters of a general character concerning corporations. It is likely that this resolution will be accepted.

No decision has been reached as to call Mr. Smith as a witness. It is regarded as probable that if he is again subpoenaed he will decline to testify by direction of the president, who is understood to have taken the position that the data is of more confidential nature, notwithstanding it was not procured for the purpose of "sneaking" as put by the president, and is regarded as the property of the department of commerce and labor.

Another important question before the judicial committee has been its authority to subpoena witnesses. The resolution adopted by the senate does not give this authority to the committee, but the chairman, Sen. Clark of Wyoming, has stated that the committee possesses general authority and specific permission under such a resolution as was made in the merger case is not required.

A subpoena has been served upon George W. Perkins of New York, manager of the banking house of J. Pierpont Morgan & Co., to appear before the committee on Friday. Subpoenas have not yet been issued for H. C. Frick or Judge E. H. Gary of the United States Steel corporation. In fact, the committee has not decided whether these men will be called at all.

It was they who presented to President Roosevelt, during the recent financial stringency, the alleged necessity for permitting the steel corporation to buy the stock of the Tennessee Coal and Iron Co., and to merge the two concerns to save financial institutions which carried a majority of the stock of the Tennessee Coal and Iron Co.

Mr. Perkins will be examined about the stock of the Tennessee Coal and Iron Co., especially as to the names of the persons who hold the stock and whether there was need of the sale as represented to the president.

Senator Clark has received from numerous sources letters declaring that the Tennessee stock was purchased by certain men in order to carry out the plan of the steel corporation and that the whole transaction was in the nature of unnecessary stock juggling.

GRAND LARCENY

IS THE CHARGE AGAINST WILLIAM GOW

NEW YORK, Jan. 28.—Charging that William Gow deliberately appropriated \$145,000 belonging to the estate of the late Carrie McGuire from the Borough Bank of Brooklyn, where it was on deposit, to open the International Trust Co., a Manhattan institution, capitalized at a million dollars, District Attorney John F. Clark outlined yesterday before a jury in the supreme court the people's case against Gow, who is charged with grand larceny in the first degree, Gow having been indicted under one of the six indictments against him, jointly with Howard Maxwell, formerly president of the Borough Bank of Brooklyn, and Arthur D. Campbell, the former cashier of the institution.

MILLS SOLD AT AUCTION

CHARLOTTE, N. C., Jan. 28.—The Southern and Resemmer City Cotton Mills were sold under the hammer at Resemmer City yesterday by George C. Cone, receiver. The Southern mill was bought by G. Stephens of Charlotte, representing a syndicate of creditors for \$150,000. The Resemmer City mill was sold to General John Gill of Baltimore for \$100,000.

The indebtedness was estimated at \$320,000. The creditors will receive approximately 20 percent.

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THE HOLLY PUMP

Proves its Title Clear to "Coal Saver"

At a meeting of the water board held last night reports were presented to prove the efficiency of the Holly pump, and it was shown that the pump has made a great big saving in coal. The figures having to do with the consumption of coal were approximately, as follows:

In 1907—Low service, West Sixth Street, 112 tons.
High service, West Sixth Street, 72 tons.
West Sixth Street shop, 27 tons.
Lower boulevard, 132 tons.
Upper boulevard, 131 tons.
Cook wells, 235 tons.

In 1908—Low service, West Sixth Street, 141 tons.
High service, West Sixth Street, 87 tons.
West Sixth Street shop, 24 tons.
Lower boulevard, 120 tons.
Upper boulevard, 125 tons.
Cook wells, 247 tons.

The figures of 1908, as compared with the figures for 1907, tell the story of the pump's saving in coal. The board passed upon several applications for rebates and other routine business was gone through with.

TWO RECORDS

MADE IN WORK IN NEW TUNNEL

NEW YORK, Jan. 28.—The simultaneous explosion of five dynamite charges at 2:27 yesterday afternoon, after the pressure of a letter by Chief Engineer Charles M. Jacobs, blew down the four feet of natural barrier, far under the North river, between the two sections of the third tube of the Hudson and Manhattan railroad, between Cortlandt street, Manhattan and Jersey City.

Mr. Jacobs said the work on the tunnel had been notable for two world's records. The first was the driving of the shield through the soft formation, and erecting 72 feet of tunnelling ready for track in 24 hours. The second was blasting through the rocks 395 feet in thirty working days.

The other lines of the two sections were within a fraction of an inch of exact meeting. The Hudson and Manhattan railroad officials expect to have this section of the tunnels and the terminal building completed by the first of July.

BRADY'S SAMPLE SHOE STORE

42 CENTRAL STREET

Greatest Price Cutting Sale

Ever Attempted in Lowell or Elsewhere in

Sample Shoes, Rubber Boots, Overshoes, Etc.

We are determined to make a clean sweep of our winter stocks and a record breaking crowd will surely attend this sale.

SEE OUR WINDOW

Men's \$3.50 and \$4.00 Samples

Velour Calf, Gun Metal and Box Calf

Blucher cut on the new lasts.

Sale Price \$2.48

Men's \$3.00 samples

Gun Metal and Box Calf

Blucher cut, new lasts, medium and high toe.

Sale price \$1.79

288 Pairs Boys' Satin Calf

Blucher cut solid school shoes, sizes 12 1/2 to 5 1/2.

Sale price 98c

98c

SICK HEADACHE COMES FROM INDIGESTION

Where there's a will there's a way. Your blood will be richer, redder, purer after taking Mi-o-na. 25 cents a box.

Cure the indigestion, and the headache, and that "all in" feeling will vanish. Mi-o-na tablets will cure indigestion or any other stomach trouble. They will relieve almost instantly. Cures Stomach and Liver troubles. Get a box today. They will give you your money back if they don't.

Use Mi-o-na for a week and you can eat what you want any time you want it, and take pleasure in doing so.

FOUND GUILTY

VERDICT AGAINST EX-STATE TREASURER GLAZIER

LANSING, Mich., Jan. 28.—Ex-State Treasurer Frank P. Glazier of Chelsea, whose failure in Dec., 1907, resulted in the closing of the Chelsea Savings bank, at which Glazier was the head and which had on deposit about \$550,000 of state funds, was found guilty yesterday by a jury in the Michigan county circuit court of misappropriating state funds. Mr. Glazier's attorneys immediately gave notice of an appeal to the supreme court and he was released on \$10,000 bail and given until March 8 to file a bill of exceptions and a motion for a new trial. Glazier received the verdict without emotion.

FINANCE BOARD

SAYS SANITARY DEPT. EXPENSES CAN BE CUT \$150,000

BOSTON, Jan. 28.—The city of Boston can save \$150,000 yearly in the sanitary division of the street department, according to a report rendered the mayor and city council last night by the finance commission. The commission declares there will be a saving the present year of \$47,244 under Supl. George H. Foss, but incorporates in its report also, on authority of the city's corporation counsel, the statement that the law does not require the removal of ashes and garbage from business and manufacturing establishments, which annually costs the city \$150,000.

OFFICERS ELECTED

BERKELEY SOCIAL CLUB SPENT PLEASANT EVENING

The Berkeley Social club met at the home of Miss Elizabeth Scamell, 61 Cambridge street, Wednesday evening, when the following officers were elected: President, Miss Kathryn Scamell; vice-pres., Miss Mae Kelley; secretary, Miss Elizabeth Scamell; treasurer, Miss Mary Molahan. There was a musical entertainment and refreshments were served.

FIRST TRINITARIAN CHURCH

Pictures of the White Star line steamship "Republic" will be shown next Sunday evening at 6:45 by Mr. Kenigott in the First Trinitarian Congregational church, preceding his illustrated lecture on "St. Paul in Rome," the thirtieth in the series on "The Relation of Christianity to Other Religions." The pictures of the "Republic" are snap-shots, taken during nearly four weeks spent on that ship, and will be of peculiar interest, not only to those who learned to love the ship because of its staunch qualities, but because of its pathetic end.

The pictures of the lecture on "St. Paul in Rome" should be of particular interest to Sunday school teachers and bible students in general who are following the International lessons on the acts of the apostles. These lessons are taught by Mr. Kenigott on Fridays at 7 p. m. in the vestry, and all are cordially invited.

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Blucher cut solid school shoes, sizes 12 1/2 to 5 1/2.

Sale price 98c

98c

TRAINS TO AND FROM BOSTON

SOUTHERN DIV.		WESTERN DIV.	
To Boston.	From Boston.	To Boston.	From Boston.
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